

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 _____
4 ADAM WHITE,
5 Plaintiff,
6 -against- Case No.:
7 SHOLEM KLEIN, THE CITY OF NEW YORK, 23-cv-06924-RER-MMH
8 NEW YORK CITY POLICE DEPARTMENT
9 ("NYPD") SERGEANT LEIGHTON BARRETT,
10 NYPD SERGEANT KURT KLENKE, NYPD OFFICER
11 AHMED ALI, NYPD OFFICER PALAKPREET KAUR,
12 NYPD OFFICER ADAM PHILLIPS, NYPD
13 OFFICER CARLOS REBOLLEDOCORTES,
14 and NYPD OFFICER IKRAM ULLAH,
15 Defendants.

16 _____
17 DEPOSITION
18 _____

19 WITNESS: SHOLEM KLEIN
20 DATE: Thursday, April 11, 2024
21 START TIME: 10:27 a.m., ET
22 END TIME: 4:51 p.m., ET
23 REMOTE LOCATION: Remote Legal platform
24 REPORTER: Vanessa Van Wagner, CER/CDR-1602
25 JOB NO.: 24759

1 A P P E A R A N C E S

2

3 COHEN & GREEN, PLLC

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6 New York, New York 10007

7 By: GIDEON O. OLIVER, ESQUIRE

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9 Appearing for Plaintiff

10

11 HECTOR M. ROMAN, P.C.

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14 By: HECTOR M. ROMAN, ESQUIRE

15 HOMDAT K. MISRA, ESQUIRE

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18 Appearing for Defendants

19

20 NEW YORK CITY LAW DEPARTMENT

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25 Appearing for City of New York

1 A P P E A R A N C E S (CONT'D)

2

3 ALSO PRESENT:

4 Regina Yu, Paralegal

5 Adam White, Plaintiff

6 Alexandra Martin, Observer

7 Kelly Madden, Notary Public

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1 Q Okay. And what's your current business
2 address?

3 A The same address.

4 Q Okay. And what do you currently do for work?

5 A Safety consultant for construction.

6 Q Do you do that for a company?

7 A Klein's Safety.

8 Q K-L-E-I-N Safety?

9 A Correct.

10 Q And is that business that's incorporated in
11 New York State?

12 A Correct.

13 Q What is your position in that business?

14 A I'm not sure of the title -- not sure of the
15 title.

16 Q Do you keep corporate records related to that
17 business?

18 A I'm not involved in the business paperwork.
19 There's someone else who takes care of that.

20 Q Who is that who takes the business -- takes
21 care of the business paperwork?

22 A Moses Friderich.

23 Q Spell the last name for me, please, if you
24 know.

25 A F-R --

1 MR. ROMAN: F-R-I-D-E-R-I-C-H.

2 THE WITNESS: Yeah.

3 MR. ROMAN: Not sure? F-R --

4 THE WITNESS: Oh, F-R --

5 MR. ROMAN: -- I-E-D.

6 THE WITNESS: It's F-R-I-D-E-R-I-C-H.

7 BY MR. OLIVER:

8 Q Okay. And do you have that person's address?

9 A No.

10 Q Okay. And when you just -- were you just
11 looking at your phone to get the spelling of that
12 person's name?

13 A Correct.

14 Q Okay. If you're going to refer to your phone
15 or to something else to refresh your recollection, you
16 just need to let me know that you're doing that. Okay?

17 A You got it, sir.

18 Q Okay. Thank you. And with respect to the
19 business papers, you said that you weren't involved, but
20 the question I had initially asked was, do you have any
21 papers related to -- documents related to Klein's
22 Safety, the business? Do you?

23 A No.

24 Q Okay. Anyone else aside from Moses Friderich,
25 who is involved in the business paperwork for client

1 safety?

2 A No.

3 Q Okay. And I understand you don't know Mr.
4 Friderich's address off the top of your head, but do you
5 have it either written somewhere or in email or your
6 phone or somewhere else?

7 A Possibility.

8 Q Where could it possibly be?

9 A On my phone.

10 Q Okay. Can you check? It's easy for you to
11 check right now?

12 A Not easy.

13 Q Okay. Because you would need to do what?

14 A Search it and look at it, I'm not sure where
15 it is. It can be in old pictures, new pictures, not
16 sure.

17 Q Okay. What's your highest level of education?

18 A I went to Hebrew School, I'm not sure what --
19 what's the --

20 Q Did you graduate high school?

21 A Hebrew High School.

22 Q Okay. And what Hebrew High School did you go
23 to?

24 A UTA.

25 Q Where is that?

1 A They have a lot of different locations.

2 Q Where is the one that you went to?

3 A Brooklyn, Monroe.

4 Q Okay. Aside from a high school, do you have
5 any -- you have any post high school education?

6 A Construction.

7 Q What construction related education do you
8 have?

9 A Construction safety.

10 Q Tell me what construction safety education you
11 have.

12 A A lot of hours of OSHA, safety construction --
13 constantly safety construction education -- safety.

14 Q Okay. Aside from your high school education
15 and your construction safety education, any other formal
16 education?

17 A (No audible response.)

18 Q Sorry, was that a no? I wasn't sure if you're
19 still thinking about it.

20 A I did some community patrol safety training.

21 Q And when was that?

22 A I do it myself offline, and I went to -- these
23 basic trainings that we do monthly.

24 Q Tell me what you mean, "the basic trainings
25 that we do monthly."

1 A We have this safety education meetings that we
2 do once a month, how to continue with providing for the
3 community and helping the community with safety and
4 security.

5 Q Okay. And when you say "we," you're talking
6 about -- who's we?

7 A The -- I'm involved in a community patrol.

8 Q RNSP?

9 A Correct.

10 Q Rockaway Nassau Safety Patrol?

11 A Correct.

12 Q Okay. And the safety education meetings, are
13 they just internal for RNSP members?

14 A Most of the time.

15 Q And when -- the times when they're not
16 internal, when there are external people present, who
17 are those people?

18 A Sometimes we get from the police department,
19 community leaders, community advocates, community
20 rabbis, or people involved in churches, all different
21 type of people. It depends on the month. It depends --

22 Q And how long have you been organized with
23 RNSP?

24 A About 12 years.

25 Q And it was founded in 2011?

1 A I believe so.

2 Q Okay. Did you ever do the NYPD Citizens
3 Police Academy, the 14-week training program?

4 A Yes, sir.

5 Q When did you do that?

6 A Not sure. A long time ago.

7 Q Was it more than -- was it before you started
8 working with RNSP?

9 A I think so.

10 Q You have any records related to that training?

11 A I might have a certificate somewhere. Not
12 sure.

13 Q Where would you need to look to see if you had
14 a certificate somewhere?

15 A In my house.

16 Q Okay. And about how long would it take you to
17 conduct that search for that record?

18 A I don't know. Depends.

19 Q Okay. So can you approximate?

20 A Maybe half-an-hour, maybe. Depends where --
21 where it is, where I put it, I'm sure.

22 Q Got it. How many different locations would
23 you need to search?

24 A Two.

25 Q Okay. In -- all within your house, right?

1 A Yes.

2 MR. OLIVER: Okay. So I'm going to call
3 for the production of any records related to the NYPD
4 Citizens Police Academy training. And I'm also going to
5 call for production of the address of Moses Friderich.

6 MR. ROMAN: Clarification.

7 MR. OLIVER: Sure.

8 MR. ROMAN: I'm sorry.

9 MR. OLIVER: No problem.

10 MR. ROMAN: Clarification for Mr.
11 Friderich. Are you talking about his business address
12 for Klein's Safety since he's referring to him as in a
13 corporate manner?

14 MR. OLIVER: Yeah. For now I think a
15 business address is fine. I think -- yeah. For now a
16 business address is fine. His business address and
17 phone number.

18 MR. ROMAN: Okay.

19 MR. OLIVER: Thanks for asking the
20 clarifying question.

21 BY MR. OLIVER:

22 Q And who organizes -- withdrawn.

23 About how long have you been doing those
24 monthly safety education meetings?

25 A Through COVID we didn't do it, but overall we

1 try to do it sometimes, you know. It's -- people are
2 busy, but overall we try to do it, all volunteers. So
3 it's --

4 Q Let me ask it a different way.

5 When did you start attending those monthly
6 safety education meetings?

7 A From the beginning of the organization,
8 always. Sometimes I cannot make it, but for the most
9 part.

10 Q Okay. And who within the organization is
11 responsible for organizing those meetings?

12 A Nobody's responsible for it.

13 Q Okay. Who within the organization does it?

14 A Most of the time, the leadership. Sometimes
15 it's other members help out.

16 Q So no one person or few people who, typically,
17 organize those safety education meetings?

18 A Correct.

19 Q And when RNSP is going to have one of those
20 safety education meetings, how does it inform its
21 membership?

22 A We send out a message to the members.

23 Q How do you send a message to members?

24 A Through WhatsApp.

25 Q Who sends that message?

1 A One of the leadership, or whoever organizes
2 it.

3 Q Okay. And so is there -- who maintains the
4 WhatsApp list of contacts?

5 A Nobody. It's there -- it's -- the list is
6 there.

7 Q When you say, "it's there," where's there?

8 A It's on -- on the WhatsApp group.

9 Q Okay. And who organizes the WhatsApp group?

10 A Couple of different people.

11 Q Who are they?

12 A So it would be -- I think it's just the three
13 supervisors -- three supervisors.

14 Q Okay. And who are those three?

15 A Mr. Adelman.

16 Q What's Mr. Adelman's first name? And how do
17 you spell Adelman?

18 A It's Elkanah. Elkanah Adelman.

19 Q Can you spell the first and the last name?

20 A If I look at my phone.

21 Q That's fine.

22 A So is -- if it's correct, it's E-L-K-A-N-A-H,
23 and last name is Adelman, A-D-E-L-M-A-N.

24 Q Thank you. And I'm sorry, you said A or E-D -
25 - A-D or E-D?

1 A A-D.

2 Q Okay. Thank you so much. And that was the
3 first of the three supervisors. Who's the second?

4 A Mr. Kassover.

5 Q Could you please spell his full name?

6 A Is it okay if I check on my phone?

7 Q It is, thank you. And thanks for asking.

8 A First name is S-H-M-U-L-Y and last name is
9 Kassover, K-A-S-S-O-V-E-R.

10 Q Thank you so much. And the third supervisor?

11 A It's myself.

12 Q Okay. Okay. All right. Thank you.

13 Are you represented by counsel today?

14 A Yes, sir.

15 Q And who is that?

16 A Mr. Hector Roman.

17 Q The attorney who's sitting to your right?

18 A Yes. Good man.

19 Q Okay. And when did you retain Counsel?

20 A Not sure. I don't know the day.

21 Q Do you know approximately? If you know?

22 A No, not sure.

23 Q Okay. Do you know what year it was?

24 A Last year.

25 Q Okay. So 2023?

1 Q Do you recognize this picture, Mr. Klein?

2 A I've seen this picture before.

3 Q Okay. Do you -- do you know what it is?

4 A My old car.

5 Q Okay. And can you tell when it was taken?

6 A I don't know.

7 Q That -- this is the same license plate that
8 was in the Exhibit 2, right?

9 A Not sure.

10 Q Did you get a replacement plate between August
11 5th, 2022 and November 11th, 2022?

12 A I'm not sure.

13 Q Did you replace the plate cover or border
14 between August 5th and November 11th, 2022?

15 A Not sure.

16 Q Okay. We'll move on for now. Well, actually,
17 when you say you're not sure, where -- what would you
18 need to check to be sure?

19 A Not -- not certain of my plate. I'm not sure
20 if it changed or not.

21 Q So you can't say, sitting here today, if you -
22 - if you changed your license plate between August 5th
23 and November 11th of 2022?

24 A I do not think that I changed it.

25 Q You don't think you changed the license plate.

1 And did you change the license plate border between
2 August 5th and November 11th of 2022?

3 A No.

4 Q Did you have someone else change the license
5 plate border between August 5th and November 11th of
6 2022?

7 A No.

8 Q So after the first incident on August 5th, did
9 you leave the plastic piece where it was at the time
10 that Mr. White left the scene?

11 MR. HIRAOKA: Objection as to form.

12 MR. ROMAN: Just for clarification, have
13 we testified that there was an incident on August 5th?

14 MR. OLIVER: He doesn't need to testify
15 whether there was an incident on August 5th in order for
16 me to ask the question.

17 MR. ROMAN: Okay. Just you're referring
18 to an incident --

19 MR. OLIVER: But -- yes. I already --
20 well, I said when I referred to the first incident, I'm
21 referring to the interactions he had with Mr. White on
22 August 5th. He didn't testify he had interactions with
23 him on August 5th.

24 BY MR. OLIVER:

25 Q Did you interact with Mr. White on August 5th,

1 related to the first incident, correct?

2 A Correct.

3 Q Okay. And so you saying you didn't interact
4 with Mr. White on August 5th?

5 A Correct.

6 Q You just saw him?

7 A Yelling at me.

8 Q Okay. So you heard -- you saw, and you heard
9 him?

10 A Yes.

11 Q Okay. What was he yelling at you on August
12 5th for?

13 A Not sure. I don't remember.

14 Q We'll get back to -- we'll get back to August
15 5th. To go back to the line of questioning I was
16 pursuing, between August 5th, 2022 and November 11th of
17 2022, did you cause the license plate cover to -- on
18 your SUV -- to be changed?

19 A No.

20 Q Did you move the plastic piece that you can
21 see in Exhibits 2 and 3 between August 5th and November
22 11th, 2022?

23 A No.

24 Q Okay. So is it the same plastic piece that
25 you can see in both pictures that we just looked at?

1 Q Anyone else aside from your father or the
2 other people you mentioned?

3 A No.

4 Q Okay. About how big is the membership? How
5 many members of the RNSP?

6 A We have, now, around 70 members.

7 Q And do you have an official title --

8 A Yes.

9 Q -- or an unofficial title? What is it?

10 A Coordinator.

11 Q Are there any other -- yeah. Go ahead.

12 A I think I'm vice president. I think. I'm not
13 sure.

14 Q Okay. Who would know?

15 A I got to ask my buddies to check the
16 paperwork.

17 Q Who keeps that paperwork?

18 A Not sure.

19 Q Which buddies were you just thinking of when
20 you said you would have to check with your buddies?

21 A My partners, Mr. Adelman, Mr. Kassover.

22 MR. OLIVER: Okay. So I would call for
23 the production of the business addresses and phone
24 numbers of Mr. Adelman and Mr. Kassover.

25 BY MR. OLIVER:

1 background noise or something.

2 BY MR. OLIVER:

3 Q Okay. And the SUV we discussed before, you
4 use that for Shomrim volunteer work, correct?

5 A Correct.

6 Q And is it equipped in any special way for
7 Shomrim work?

8 A If you can please explain better, the
9 question.

10 Q Sure. Is -- did the SUV have any equipment
11 that you used for Shomrim work?

12 A Yes.

13 Q What was that equipment?

14 A Sometimes we use lights.

15 Q Okay. And, in fact, your SUV had lights in it
16 on August 5th and November 11th, 2022, right?

17 A Yes.

18 Q Okay. What -- were those the same lights that
19 were in the SUV on both of those dates?

20 A I believe so.

21 Q And where within the SUV did you keep those
22 lights?

23 A Different places.

24 Q Tell me all of the different places that you
25 would keep those lights.

1 A In the front and the side and the back.

2 Q When did you buy the lights?

3 A I don't know.

4 Q Did you yourself buy them?

5 A Yes.

6 Q What year?

7 A I don't know.

8 Q When did you lease the SUV?

9 A Not sure of that.

10 Q You're not sure? Where's the lease?

11 A I don't have -- I don't -- I don't have the
12 lease.

13 Q You don't have a copy of the lease?

14 A I don't think so. For my old car --

15 Q Have you checked --

16 A -- my old car?

17 Q For your old car.

18 A I don't think so.

19 Q Have you looked for it?

20 A No.

21 MR. OLIVER: Okay. I would call for
22 production of the copy of the lease.

23 BY MR. OLIVER:

24 Q You turned that car in after the second
25 incident, right?

1 A The lease was up.

2 Q When did the lease -- when was the lease up?

3 A Not sure.

4 Q Where did you lease the car from?

5 A There's a place in Monroe -- Monroe, New York.

6 Q What's the name of the place?

7 A Trying to remember the name. I don't remember
8 the name right now.

9 Q How about Advanced Auto Leasing? Does that
10 ring a bell?

11 A No. I don't think so.

12 Q In Monroe, New York, you don't think you
13 leased it from Advanced Auto Leasing?

14 A I'm not sure because I take it through a
15 friend, and the friend takes care of it.

16 Q Who's the friend you take it to?

17 A His name is Joel -- Joel Rutner.

18 Q Can you spell the last name.

19 A If I check my phone.

20 Q Please.

21 A Okay. Joel Richter. R-I-C-H-T-E-R.

22 MR. OLIVER: Okay. I'm going to call for
23 a production of Joel Richter's --

24 THE WITNESS: No -- no. A different --
25 different name. I'm sorry.

1 MR. OLIVER: Okay.

2 THE WITNESS: I gave the wrong name.

3 Sorry.

4 MR. OLIVER: No problem. Appreciate you
5 being careful.

6 THE WITNESS: Yeah. Rutner. Yeah. Now,
7 I have it. R-U-T-N-E-R.

8 BY MR. OLIVER:

9 Q Okay. And just describe what Joel -- you
10 said something along the lines of you would take your
11 SUV to a friend. What did Joel Rutner do for you with
12 respect to the SUV in 2022 or 2023?

13 A So he's a friend of mine for many years, and
14 anytime I need -- my lease is up or new lease -- he's
15 very familiar with cars, and like to get good prices and
16 good deals, and he takes care of it. He gets me a new
17 one and he returns the old one.

18 Q Got it. And when he does this kind of work
19 for you, do you communicate about the work? How do you
20 communicate about the work?

21 A I call him.

22 Q Okay. Do you -- do you text or email him as
23 well?

24 A I don't think so. Just call him.

25 MR. OLIVER: Okay. So I'm going to call

1 for production of the lease for the SUV.

2 I'm also going to call for production of
3 the lease of the new SUV.

4 BY MR. OLIVER:

5 Q You have a new SUV, right?

6 A Yes.

7 Q And you got that in December of 2022, right?

8 A Not sure.

9 Q Did you drive it to your attorney's office?

10 A Now, yes.

11 Q Okay. And what's the make and model of the
12 SUV that you have now?

13 A It's a Chevy Tahoe.

14 Q Whose name is -- was on the lease of the SUV
15 that you had in 2022?

16 A My name, I believe so. I'm not sure.

17 Q What was -- when did the lease start and when
18 did it end?

19 A I don't know. It was about three-year lease.

20 Q How much did you put down when you leased it?

21 A I don't remember. I don't know.

22 Q How much were your monthly payments?

23 A I think -- I'm not sure. I think around 8-.
24 I -- I don't know. I don't -- I think around 8-, not
25 sure.

1 Q Who made the monthly payments on the SUV
2 lease?

3 A It just went out to -- when I got it, we just
4 made it so it should go out automatically.

5 Q And when it came out automatically, which
6 account did it come out?

7 A I'm sorry.

8 Q Sorry. Go ahead. You can speak.

9 A I think my -- the car that I had before was
10 also under my brother's name -- my brother, it was under
11 my brother's name, I think so. Almost sure.

12 Q Was your name and your brother's name on the
13 lease?

14 A I think so.

15 Q What's your brother's name?

16 A Yoely.

17 Q Could you spell that for me?

18 A Only if I can check my phone.

19 Q Sure.

20 A Y-O-E-L-Y.

21 Q Okay. And last name Klein?

22 A Same like mine.

23 MR. OLIVER: Okay. I'm going to call for
24 production of his business address and phone number.

25 BY MR. OLIVER:

1 Q You mentioned the payments for the lease came
2 out automatically. Where did they come out
3 automatically from?

4 A I think from my bank account.

5 Q What's your bank?

6 A TD Bank. Yeah.

7 Q And it's your account or you and someone else?

8 A I'm not sure from which account it came out,
9 exactly. Maybe it's -- I'm not sure.

10 Q What other possible -- aside from your account
11 at TD Bank, where else could the funds possibly have
12 been automatically --

13 A Maybe it came out of the business -- business
14 expense. I'm not sure.

15 Q Okay. And when you say, "the business," that
16 would be your business?

17 A It would be the Klein's Safety business.

18 Q And who would have records if it came --
19 documenting that it -- that any portion of the lease
20 payments were business expenses?

21 A My accountant.

22 Q Who's your accountant?

23 A What's his name? One second. Let me see.
24 Mr. -- Mr. Gutman.

25 Q Mr. -- say it one more time?

1 A Gutman. Gutman.

2 Q Can you -- can you spell the full name?

3 A Not sure -- if I -- if I can check my phone.

4 Q Please.

5 A Gutman, G-U-T-M-A-N.

6 Q And the first name?

7 A I don't know his first name.

8 MR. OLIVER: Okay. I'm going to call for
9 production of his first name, business address, and
10 phone number.

11 BY MR. OLIVER:

12 Q Okay. And the SUV had tint, right?

13 A Yes.

14 Q Was the -- your decision to get tinted?

15 A My brother put it in for me.

16 Q Tell me what you mean "my brother put it in
17 for me."

18 A My brother does this type of work, and he put
19 it in for me.

20 Q Okay. So your brother works -- does -- what
21 does your brother do for work?

22 A He does tint.

23 Q Anything else aside from tint on cars?

24 A He does anything that you need in respect of
25 cars.

1 Q Okay. And does he work for himself or someone
2 else doing that work?

3 A Company.

4 Q What's the company?

5 A I don't know the name of the company.

6 MR. OLIVER: Okay. I would call for
7 production of the name of the company and the business
8 address and phone number of the company.

9 BY MR. OLIVER:

10 Q And did your brother do any -- withdrawn.
11 What work did your brother do on the SUV?

12 A Phone holder, lights on my car.

13 Q Anything else?

14 A That's basically -- I think so -- that's
15 basic --

16 Q The tint too, right?

17 A Yes.

18 Q Okay. So when you lease the SUV, no tint?

19 A I don't know if he does it or if he gives it
20 out to do, but he took care of it.

21 Q Okay. Got it. When you lease the SUV, no
22 tint?

23 A No. It comes with tint.

24 Q Okay. So when you say he did the tint, what
25 do you mean?

1 A I think he added some tint.

2 Q Okay. Do you know what the tint level was
3 when the SUV was leased?

4 A No.

5 Q Do you know what the tint level was after your
6 brother added tint?

7 A No.

8 Q Do you know if it was legal?

9 A Not sure.

10 Q You know excessive tint is -- tint is illegal,
11 right?

12 A It has different levels.

13 Q Correct. A level of tint that exceeds the
14 legal limitation is illegal. You understand that,
15 right?

16 A Okay.

17 Q Well, I'm asking, do you understand?

18 A If it's different levels.

19 Q Right. If the level of tint on the windows on
20 an SUV exceeds the legal limit, then it's an illegal
21 tint, right?

22 A That's right. Yeah.

23 Q Okay. So you don't know, sitting here today,
24 if the tint on the SUV in 2022 was legal or not?

25 A Not sure.

1 Q Okay. And you mentioned that your brother did
2 some work with respect to lights. Tell me about that
3 work.

4 A He put some lights in my car.

5 Q What lights did he put in your car?

6 A Different -- different lights, different
7 stuff.

8 Q I'd like you to be as specific as you can,
9 please. Different lights, different stuff, is very
10 general. So how many different lights did he put in
11 your car?

12 A Some in the front, some on the side, some in
13 the back.

14 Q Are we talking about, like, changing the
15 headlights and the taillights?

16 A No. That stays there.

17 Q Okay. So what kind of lights are you talking
18 about?

19 A You put some in the grille, you put some on
20 the -- on the bumper.

21 Q And are those emergency lights?

22 A It lights the sides.

23 Q Okay. What was the purpose of having those
24 lights installed?

25 A Sometimes if you help someone on a highway or

1 you're in a dark street, you don't want to get hit, you
2 put on the lights. So -- so it's safe to do whatever
3 you need to do without getting hit.

4 Q Okay. So just tell me where the lights were
5 installed. All of the locations where the -- where your
6 brother installed lights on the SUV?

7 A Different -- different -- you have some in the
8 grille.

9 Q Okay. That's one place, the grille. Where
10 else?

11 A In the side, by the step on the sides.

12 Q Okay. That's two.

13 A Some in the back window.

14 Q Okay. Three.

15 A Underneath the side mirrors.

16 Q Okay. Anywhere else?

17 A And top -- top front windows.

18 Q In the -- you mean over the windshields?

19 A In the top -- all the way in the top. It goes
20 like that on the roof.

21 Q Got it. And the lights that are -- okay.
22 Anywhere else?

23 A I think that's basically it.

24 Q Okay. The light that you mentioned earlier
25 that you said moved around the car, the emergency light,

1 is that a light that your brother installed?

2 A Which -- I'm not sure what you're asking.

3 Sorry.

4 Q Sure. I had asked you about where the --
5 maybe I misunderstood you. So it's good for us to make
6 this clear. I had asked you earlier about emergency
7 lights, remember?

8 A Okay.

9 Q You know, like, the kinds of lights that law
10 enforcement use. Blinking, flashing lights. You know
11 what I'm talking about?

12 A Okay.

13 Q Did you have emergency lights equipped in the
14 SUV in 2022?

15 A I have lights in the car.

16 MR. OLIVER: Okay. So let's see --
17 let's look at --

18 I think it's 106 Regina, and it's going
19 to be White 757. It's either 106 or 107. Yeah.

20 Okay. If we could mark this as Exhibit
21 4.

22 (Exhibit 4 marked for identification.)

23 THE REPORTER: Exhibit 4 is marked.

24 MR. OLIVER: Okay. Thank you so much.

25 BY MR. OLIVER:

1 Q Do you recognize this, Mr. Klein?

2 A I believe that's my car.

3 Q Okay. You see JGG6230, right, in the front
4 license plate?

5 A Yes.

6 Q And you see some headlights that are on,
7 right?

8 A Okay.

9 Q And you see below the headlights, sort of, on
10 the same -- in the same line as the license plate, you
11 see two -- basically they look like white headlights as
12 well, correct?

13 A Those are fog lights.

14 Q They're what lights? Fog lights?

15 A I believe so, yeah.

16 Q Okay. So you see the fog lights on the bottom
17 and then moving up, you see the two headlights, right?

18 A Okay.

19 Q And then on top you see some red and blue
20 lights, right, on the top of the windshield?

21 A I don't see blue.

22 Q You don't see blue on the left? Looks blue to
23 me.

24 A That's white.

25 Q Okay. So they're red and white lights?

1 A Correct.

2 Q Which of the lights in the picture that we're
3 looking at did your brother install?

4 A So I believe the one on the grille up in the
5 window.

6 Q Okay. So the top one and the bottom one in
7 this picture?

8 A Yes.

9 Q Okay. In -- aside from the red and white
10 lights on the top of the windshield, did your brother
11 install any other lights that were not headlights or fog
12 lights?

13 A I don't think so.

14 Q Okay. And on November 11th, 2022, did you
15 have a movable emergency light inside the vehicle?

16 A What do you mean, "movable"?

17 Q Yeah. Let me try and do it better.

18 You know how in the movies when you see
19 people, police officers and undercover cars, and they
20 have the little emergency light that they then put on
21 the top of the car?

22 A Yeah.

23 Q Stick it on the top of the car when they start
24 chasing somebody?

25 A Yeah.

1 Q That's what I'm thinking of. Did you have
2 something like that in your car on November 11th, 2022?

3 A I had that one. It doesn't -- doesn't work.
4 It was not -- was just -- it's a light, it doesn't work.

5 Q But you had it in the car, right?

6 A Had it in the car.

7 Q And where was it, on November 11th, 2022, in
8 the car?

9 A I believe in the windshield.

10 Q Okay. In the front windshield?

11 A Correct.

12 Q And did your brother install any non-
13 headlights or fog lights in the back of the car, like
14 the back windshield or somewhere else?

15 A The window.

16 Q So the back windshield as well?

17 A Back window.

18 Q Like the top of the back window just like
19 these lights are on the top of the front window in the
20 Exhibit 4, right?

21 A I believe so. I don't remember --

22 Q Okay. And then --

23 A I don't remember my design of the lights.
24 I'm not sure. I believe so.

25 Q Okay. But your brother would know, right?

1 A He does a lot of cars. I'm not sure.

2 Q I understand. If anyone aside from you would
3 know -- well withdrawn.

4 Is there anyone aside from you or your
5 brother, who would know what kind of lights were
6 installed in your car on November 11th, 2022?

7 A I don't know. There's a lot of people who are
8 very into lights, so they -- they keep track of these
9 things.

10 Q You do not, though? You did not know?

11 A No. I don't. I'm not so into lights. I'm
12 not so --

13 Q Okay. Let me ask you this. Under what
14 circumstances were you authorized to operate those non-
15 headlight lights, according to your understanding?

16 A When we do community events, funerals,
17 processions, if there's a fire in the neighborhood, we
18 we'll help out. There's a flooding in the neighborhood,
19 we'll help out.

20 Q So what's your understanding of when you are
21 legally authorized to use those lights?

22 A When you have a procession, a funeral, a big
23 accident, or big fire or -- yeah, that's when we
24 basically use it. Sometimes we -- if there's a
25 blackout, we'll drive around the patrol so there's no

1 looting. We used it for Hurricane Sandy, we used it.

2 Q And if you're in the hurry -- in a hurry
3 getting to, like, Shomrim call, are you -- do you -- do
4 you use your -- do you use lights?

5 A 99.99 percent not.

6 Q Okay. Point -- a small percentage, yes?

7 A If you get a call, there's a child locked in a
8 -- in a room and the fire is on; if you get a call that
9 a child is the bathroom, and the bathtub is on; if it's
10 -- if you have an elderly lady that fell down in the
11 house yelling for help. It needs to be, like, a real
12 high priority.

13 Q And then is it your understanding that it's
14 legal for you to operate the lights, or you just do it
15 because it's an emergency?

16 A I'm not sure what the word "legal" is. It --
17 it's common sense. Somebody is distressed, you want to
18 go over there and help that person in need. And it's a
19 very, very, very small percentage.

20 Q Okay. I understand it's a small percentage.
21 But you understand that there are laws that govern when
22 you can use emergency lights, right?

23 A There's also common sense. If you have a baby
24 in a bathtub, in a bathroom.

25 Q I agree with you. But if you could answer the

1 question that I asked before making your own comment,
2 then I'd appreciate it. So you understand that there
3 are laws that regulate when emergency lights can be
4 used, right?

5 A Correct.

6 Q Okay. And in addition to the emergency
7 lights, was the SUV in 2022 equipped with any sirens?

8 A Yes.

9 Q Tell me about the sirens.

10 A Makes a lot of noise.

11 Q Okay. And did it come with the car?

12 A No.

13 Q How did it come to be in the car?

14 A So I gave it to my brother, and he took care
15 of it.

16 Q When did you give it to your brother?

17 A Like a few weeks after I got the car.

18 Q And how many sirens did he install?

19 A Two.

20 Q Where did he install those sirens?

21 A In the car.

22 Q Where in the car?

23 A I'm not sure. That's -- I don't know where he
24 puts it.

25 Q Well, we're looking -- sitting in the car and

1 looking in the car, could you see the sirens that he
2 installed?

3 A You only see, like a knob. You don't see --
4 You don't see anything. It's knobs.

5 Q A knob you say, like, to operate the siren, to
6 turn it on and off?

7 A Yes.

8 Q Okay. Okay. And I believe that you said
9 earlier that working with RNSP, you had worked closely
10 with the Nassau County Police Department, right?

11 MR. ROMAN: Objection.

12 We'd have to see what the transcript
13 said. I don't know if he used the word "closely."

14 MR. OLIVER: That's fine. That's fine.
15 I got you. I understand your objection, even though
16 it's a speaking objection, but I'll rephrase it.

17 BY MR. OLIVER:

18 Q Would you say that when you volunteered with
19 RNSP -- withdrawn.

20 Would you say that during your time
21 volunteering with the RNSP, you worked closely with the
22 Nassau County Police Department?

23 A No.

24 Q Okay. What would you -- how would you
25 describe your relationship with the Nassau County police

1 that makes it so you can't read the license plate?

2 A Correct.

3 Q And do you know that some people cover part of
4 their license plate in order to evade tolls or tickets?

5 A Correct.

6 Q And on August 5th, 2022, were you covering
7 your license plate in order to avoid tolls or tickets?

8 A No.

9 Q On August 5th, 2022, were you covering one of
10 the Gs in your license plate with a piece of plastic?

11 A No.

12 Q And on November 11th, 2022, were you covering
13 one of the Gs on your license plate with a piece of
14 plastic?

15 A No.

16 Q Okay. Are you familiar with the New York City
17 traffic rules?

18 A Some of it.

19 Q Okay. Are you aware that the rules of the
20 City of New York require that license plates be properly
21 and conspicuously displayed?

22 A Yes.

23 Q And are you aware that New York City rules
24 prohibit covering license plates by glass or plastic
25 material?

1 so it's not readable. Isn't that just illegal?

2 A I don't know the law of it.

3 Q Okay. All right. Fair enough. Okay. So if
4 I remember correctly, you don't remember when you leased
5 the SUV, right?

6 A I don't have -- I don't know the exact date.
7 Normally my lease is about three years.

8 Q Okay. And aside from the lease itself, is
9 there anything that would help refresh your recollection
10 about when you lease the vehicle?

11 A No.

12 Q Okay. And when you lease the vehicle, did it
13 come with a license plate cover?

14 A Yes.

15 Q So the license plate cover that the car had on
16 it on August 5th, 2022, was that the license plate cover
17 that it came with from the dealership?

18 A I believe so.

19 Q And the license plate cover on November 11th,
20 2022, is that the same license plate cover?

21 A I believe so.

22 Q So the license plate cover that was -- that
23 Mr. White took a picture of on August 5th, was the same
24 cover that was on the car when you leased it?

25 A I believe so.

1 Q And the license plate cover that Mr. White
2 took a picture of on November 11th, 2022, was also the
3 same license plate cover that was on the SUV when you
4 first leased it?

5 A I believe so.

6 Q When you say you believe so, is there any
7 hesitation in your belief?

8 A No.

9 Q Okay. So are you, then, sure that the license
10 plate cover that Mr. White took a picture of on August
11 5th is the same cover that was on the SUV when you
12 leased it?

13 A I believe so.

14 Q Now you say, "I believe so." Are you sure
15 you're not sure?

16 A I'm -- I think it was -- I'm not sure. I
17 think it was the same.

18 Q Okay. How would you find out, if you yourself
19 wanted to find out?

20 A I don't know.

21 Q Do you change your -- you don't know? Okay.
22 Well, would you ask your brother?

23 A I can ask my brother.

24 Q Anybody else do work on the car in 2022
25 between July of 2022 and the end of 2022?

1 A Not sure. I had some scratches on the car.
2 My car was by collision shop.

3 Q Okay. And what collision shop was that?

4 A J&J Collision shop. I'm --

5 Q And where is that?

6 A I'm sorry to interrupt. I'm not sure the --
7 the months when it was -- when I gave it in, or when he
8 did work. But it's possible -- but at a -- at a certain
9 time my car was there for somewhere, but I don't know if
10 it was before or after, in between.

11 Q When you returned the SUV, did you get any
12 paperwork?

13 A I didn't do anything. Joel -- Joel took care
14 of everything.

15 Q Okay. So when Joel returned the SUV, did he
16 get any paperwork?

17 A I don't know.

18 Q Okay. Did he send you any paperwork that he
19 got when he returned the SUV?

20 A No.

21 MR. OLIVER: Okay. I'm going to call for
22 the address -- business address, and phone number of J&J
23 Collision shop. Also going to call for the production
24 of any records related to any work that was done on the
25 SUV, both by Mr. Klein's brother and by J&J Collision

1 shop, as well as any records reflecting any work done on
2 the SUV by/or on behalf of Joel Rutner.

3 BY MR. OLIVER:

4 Q Sorry if I already asked this, but when you
5 returned the SUV to the dealer, did you get any
6 documentation?

7 A No.

8 Q When you returned the SUV to the dealer --
9 well, withdrawn.

10 Before you returned your SUV to the dealer,
11 did anyone take out the lights your brother had
12 installed?

13 A Yes.

14 Q Who took out the lights your brother had
15 installed?

16 A I gave it to my brother. He took care of it.

17 Q When did you give it to your brother?

18 A I don't remember.

19 Q Did you communicate by email, text, or writing
20 with your brother or Joel Rutner about the SUV in 2022?

21 A Phone calls. Hold on --

22 Q Only phone calls you're saying? You're
23 nodding your head. You have to answer verbally.

24 A Oh, sorry. Yes. I -- I called them. It's my
25 brother, it's my friend. I called them.

1 Q Okay. You've never texted them about the SUV
2 in 2022?

3 A I don't think so. It's phone calls.

4 Q Have you searched for texts between you and
5 your brother -- you and Joel Rutner, related to the SUV
6 in 2022, and 2023?

7 A No. No.

8 MR. OLIVER: Okay. I'm going to call for
9 the production of any texts or emails or other records
10 reflecting communications between Mr. Klein and his
11 brother or Joel Rutner, or the dealerships regarding the
12 SUV in 2022 and 2023. And that would include any
13 invoices or bills and records regarding payments that
14 were made for the lease or any related work.

15 Also call for the production of any
16 records regarding the purchase or replacement of the
17 license plate covers on the SUV in 2022 and 2023.

18 BY MR. OLIVER:

19 Q With respect to the license plate cover that
20 was on the SUV on August 5th, 2022, did you break a
21 piece of the plate cover off?

22 A No.

23 Q With respect to the plate cover had the
24 vehicle had on November 11th, 2022, did you break a
25 piece of that license plate cover off?

1 A No.

2 Q On August 5th -- on or before August 5th of
3 2022, did you wedge or jam a piece of plastic in the
4 license plate cover that was on the SUV?

5 A No.

6 Q And on or before November 11th, 2022, did you
7 wedge or jam a piece of plastic into the license plate
8 cover that was on the SUV?

9 A No.

10 MR. OLIVER: Okay. Let's mark as Exhibit
11 7 --

12 It's 18, Regina.

13 And what we're marking now are some
14 documents that your attorney disclosed on March 27th,
15 2024. These are just Exhibits A and B to the document
16 responses -- document to the -- sorry. These are
17 Exhibits A and B to the defendant client's responses and
18 objections to Plaintiffs' interrogatories and document
19 demands. So we're marking these as 7. It's a 12-page.

20 (Exhibit 7 marked for identification.)

21 THE REPORTER: It's a --

22 MR. OLIVER: Sorry. Go ahead.

23 THE REPORTER: No. I was just saying
24 it's marked.

25 MR. OLIVER: Thank you so much.

1 MR. OLIVER: Okay. Great. Thank you.

2 BY MR. OLIVER:

3 Q So just about pages 2 through 9 of Exhibit 7
4 here, those are pictures that you took right, Mr. Klein?

5 A Yes. I don't --

6 Q And are those all the pictures that you took -
7 -

8 A I don't know about --

9 Q Go ahead. Go ahead.

10 A Yes.

11 Q And you were saying, "I don't know about"?

12 A The picture of my car, I don't know if I took
13 that picture, but I had that picture.

14 Q When you say, "the picture of my car," you
15 mean -- do you mean the pictures that we haven't yet
16 looked at from this batch or you're talking about one of
17 the nine pictures we just looked at?

18 A One of the nine, the picture in my driveway.

19 Q Okay. Well, I think your attorney may have
20 showed you some additional pages. Your attorney may
21 have showed you pages 11 and 12, which we'll get to in a
22 minute.

23 A Okay.

24 Q Just focusing on 2 through 9.

25 A Okay.

1 Q Are those pictures that you took?

2 A Yes.

3 MR. ROMAN: If -- just for clarification,
4 if you could just go through each one it would be --
5 maybe would be a little bit better. I can show him page
6 2, and then you can ask him.

7 MR. OLIVER: Sure. Sure.

8 BY MR. OLIVER:

9 Q I mean page 2, did you take this picture?

10 A Yes.

11 Q Did you take it with your cell phone?

12 A Yes.

13 Q The iPhone you mentioned?

14 A Yes. Yes.

15 Q Does the iPhone store metadata when you take a
16 picture?

17 A No.

18 Q Are you sure?

19 A I'm having issues with my -- actually what --
20 I'm not sure.

21 MR. OLIVER: Okay. So I have -- I have
22 already called for the production of the metadata which
23 will include the date, time, and location of these
24 pictures, but I would, again, call for production of the
25 metadata.

1 could.

2 A 2.

3 Q So which picture you think was first?

4 A I believe 2 was in the beginning.

5 Q Okay.

6 A 3, 4 is a little after.

7 Q Okay.

8 A 5 is also from the after.

9 Q Okay.

10 A 6 is from the after. 7 is from the beginning.

11 8 is from the beginning. 9 is from the beginning. 8 is

12 from the beginning. 3 is towards the end. I believe

13 that's --

14 Q Okay. Okay. Thank you. And are those the

15 only pictures that you took on November 11th, 2022,

16 related to your interactions with Mr. White?

17 A Not sure.

18 Q Have you searched for -- have you searched

19 your phone for pictures from that date?

20 A Yes.

21 Q How did you search your phone for pictures

22 from that date?

23 A I went through -- I scrolled through pictures,

24 and I try to find what I find.

25 Q Okay. And let's look now at -- well, sorry.

1 You said though, that you weren't sure if these were all
2 the pictures from that date, right?

3 A What -- it was from that -- from the 11th.

4 Q Okay. So are the pictures that we just looked
5 at the -- all of the that you took on that date that --

6 A No. I can't hear you.

7 Q -- related to your interactions with -- can
8 you hear me now?

9 A I -- I'm sorry. Yes. If you can please
10 repeat, I couldn't hear you.

11 Q Are the pictures that we just looked at in
12 Exhibit 7, pages 2 through 9. Are those all of the
13 pictures that you took on November 11th, 2022, that
14 relate to your interactions with Mr. White?

15 A So all these pictures we just went through,
16 those are the pictures from that day.

17 Q All -- those are all the pictures you took
18 that day related to Mr. White, correct?

19 A These are pictures from that -- from that day.

20 Q Are these all of the pictures that you took
21 from that day?

22 A I am not sure.

23 Q How could you assure yourself? Where would
24 you look?

25 A I was looking, and this is what I -- this is

1 what I found.

2 MR. OLIVER: Okay. Well, I'm going to
3 call -- in light of the equivocation, I'm going to call
4 for production of all of the pictures that relate to Mr.
5 Klein's interactions with Mr. White on either the first
6 incident or the second incident.

7 And then -- and then if we could look at
8 the last two pages of the Exhibit, 11 and 12.

9 MR. ROMAN: So just to be clear, Counsel,
10 you're referring to the photos that were taken, if any,
11 on August 5th, 2022 and November 11, 2022, right? I
12 just --

13 MR. OLIVER: That's what I was just
14 referring to. But now we've moved on.

15 MR. ROMAN: No. I know. I was just -- I
16 was asking for a clarification of what you were calling
17 for.

18 MR. OLIVER: Totally. Yeah. I
19 appreciate it. And so clarified, I hope.

20 MR. ROMAN: Yeah.

21 MR. OLIVER: Thank you. And if we could
22 scroll to 11 and 12, and if you could take a look at
23 pages 11 and 12 of Exhibit 7, please.

24 MR. ROMAN: You see it?

25 THE WITNESS: Yeah.

1 MR. ROMAN: He's viewed them.

2 MR. OLIVER: Okay. Okay. Thank you.

3 BY MR. OLIVER:

4 Q And did you take the two pictures that we just
5 looked at -- that you just looked at?

6 A I don't know.

7 Q Well, you produced them, right?

8 A Correct.

9 Q So where did you get them?

10 A Sometimes I can -- my kids can take it and it
11 goes on the chat. I'm not sure who actually took the
12 actual picture.

13 Q Okay. When you say, "it goes on the chat,"
14 what chat are you talking about?

15 A We have like a private family chat.

16 Q It's like a text loop or something else?

17 A It's a WhatsApp group that we have between the
18 -- between the kids.

19 Q Got it. Aside from the two pictures 11 and
20 12, pages 11 and 12 of Exhibit 7, do you have any
21 pictures of the SUV from 2022?

22 A I don't know.

23 Q Where did you look to see if you had any
24 pictures?

25 A I -- I was scrolling through my pictures.

1 Q When you -- please be more specific. You
2 looked on your phone?

3 A Yeah.

4 Q And you scrolled through what pictures?

5 A Like, you go into the picture app, and you
6 just scroll through pictures.

7 Q And these are the only two pictures of the SUV
8 that you found when you scroll through the pictures?

9 A That's correct.

10 Q When's the last time you bought a new phone?

11 A I think about a year ago.

12 Q So are these just pictures from the last year

13 --

14 A Yeah.

15 Q -- that you were looking through?

16 A Yeah. Yes.

17 Q But the pictures from before -- well,
18 withdrawn.

19 The pictures from before, pages 2 through 9,
20 did you retrieve these from the same phone that you
21 received -- retrieved the pictures at 11 through 12
22 from?

23 A I'm not sure.

24 Q Where did you look when you -- to find the
25 pictures in 2 through 9?

1 A I go into pictures.

2 Q So the method that you employed to look for
3 the pictures that you produced in 2 through 9 was the
4 same method you employed to look for pictures that you
5 produced in 11 and 12?

6 A I'm not sure.

7 Q When you got a new phone, how did you pay for
8 it?

9 A I don't know.

10 Q Who is the provider of the old phone?
11 Verizon, right?

12 A Yeah.

13 Q And is Verizon still your provider?

14 A Yes.

15 Q And when you -- when you got a new phone, did
16 you upgrade the make and model of the phone?

17 A I'm not sure. My wife did it for me.

18 Q Where are your -- the pictures on your phone,
19 what account are they stored in, if any account?

20 A I don't know. I'm not so tech. I don't know.

21 Q Do you have an iCloud account?

22 A Yes.

23 Q What's your -- what's your account name?

24 A I don't know.

25 Q Can you look it up? It's on your phone,

1 right?

2 A I don't know how to look it up. I'm not so
3 phone savage. I'm not so good.

4 MR. OLIVER: Okay. Well, I'll call for
5 the production of it - to be specific, I'll call for the
6 production of Mr. Klein's iCloud account name and any
7 other identifying information.

8 And I would also recall for the
9 production of any pictures of the SUV in his care,
10 custody, or control from 2002 from the -- from the year
11 -- sorry, from 2019 through 2022, which I believe is the
12 lease term.

13 BY MR. OLIVER:

14 Q Sitting here today though, do you think the
15 two pictures -- that are 11 and 12 -- of the SUV here
16 are the only pictures that you yourself have of the SUV
17 from 2019 through 2022?

18 A Not sure.

19 Q What do you mean you're not sure? How are you
20 not sure?

21 A I might have. I -- I don't have -- I was
22 scrolling through, and this is what I found.

23 MR. OLIVER: Okay. So I've called for
24 you -- for the production of anything that you may not
25 have found. Obviously these are just two pictures, and

1 they don't show the back of the car. If these are the
2 only two pictures that you have, then that's it. If --
3 and we'll have to look, perhaps, to your family members
4 or other people for pictures of the SUV. If you
5 discover other pictures, then you can supplement your
6 attorney -- then you'll provide them to your attorney,
7 and you'll take whatever steps, he deems, are necessary.

8 BY MR. OLIVER:

9 Q Aside from you, who else in your family may
10 have pictures of your car taken between 2019 and 2022?

11 A I don't know.

12 Q Okay. So it could be any of your family
13 members?

14 A Yes and no. I don't know.

15 Q Okay. Did you search the group -- the text
16 loop -- oh, sorry. Withdrawn.

17 Did you search the WhatsApp loop for -- with
18 your family for any pictures or communications that
19 relate to either the first or the second incidents?

20 A Incident?

21 Q Incidents. We talked at the beginning about
22 the first incident and the second incident.

23 A I -- I don't -- I -- I didn't discuss anything
24 on that group with my kids.

25 Q Did you search the group to see if you had or

1 to see if any pictures of the SUV are in the group?

2 A From the incidents or just overall?

3 Q Did you search the group for pictures of the
4 SUV overall between 2019 and 2022?

5 A No. No.

6 Q Did you search the group for communications
7 that relate to either incident?

8 A No. But it would --

9 Q Okay. So I'll ask you to -- I'll ask you to
10 conduct those searches which should have been conducted
11 some time ago.

12 Okay. So moving on. We discussed the license
13 plate on both of the dates August 5th and November 11
14 was JGG6230, correct?

15 A I believe so.

16 Q And what's your -- the license plate on the
17 SUV that you leased in December of 2022?

18 A I don't know.

19 Q Aside from those two license plates, have you
20 had any other license plates in the past 10 years?

21 A I think so.

22 Q What were those license plates?

23 A I don't know.

24 Q Who would know?

25 A I don't know.

1 Q You keep records of -- related to your car?

2 A No.

3 Q You don't keep any records related to your
4 car?

5 A No.

6 Q Was the car registered on August 5th, 2022?

7 A Of course.

8 Q And was the car registered on November 11,
9 2022?

10 A Yes.

11 Q Was registration valid on both of those dates?

12 A I believe so. Yes.

13 MR. OLIVER: Okay. I would call for
14 production of copies of the registration. If it's the
15 same than just one copy obviously, but for whatever
16 registration was in effect on the date of the first
17 incident and the date of the second incident.

18 BY MR. OLIVER:

19 Q Was the SUV insured for the entire rental
20 term?

21 A I believe so. Yes.

22 Q Were there any lapses in insurance between
23 2019 and 2022?

24 A No. Not that I know of. No.

25 Q Who was your insurer -- well, withdrawn.

1 Was it -- did you have the same insurance that
2 entire time period that you had leased the SUV?

3 A I don't know.

4 Q Who handled your car insurance during that
5 time period?

6 A My sister-in-law.

7 Q What's your sister-in-law's name?

8 A Goldie (phonetic).

9 Q What's her full name?

10 A Goldie Klein.

11 MR. OLIVER: I'm going to call for
12 production of her business address and phone number.

13 BY MR. OLIVER:

14 Q Just tell me how it is that -- withdrawn.

15 What did she do for you with respect to your
16 SUV insurance?

17 A She takes care of it.

18 Q Tell me what you mean, "takes care of it"?

19 A I don't know. She works with insurance, and
20 she makes sure that I have insurance.

21 Q And -- does she do any work with A&Z insurance
22 brokerage?

23 A I don't know.

24 Q Does she do any work with Advanced Auto
25 Leasing?

1 A I don't know.

2 Q Did she have anything to do with replacing
3 your license plate cover in sometime between July and
4 November of 2022?

5 A No.

6 Q Okay. Who did replace the license plate cover
7 between July and December of 2022 on the SUV?

8 A I don't know.

9 Q It wasn't you?

10 A No.

11 Q Okay. Okay. In the past five years, have you
12 gotten any parking tickets?

13 A Yes.

14 Q How many?

15 A I don't know.

16 Q About?

17 A I don't know.

18 Q Can you approximate?

19 A No.

20 Q When you get a parking ticket, what do you do
21 with it, typically?

22 A I take care of it.

23 Q What do you do to take care of it? Tell me
24 specifically what each of the steps that you take to
25 take care of it. You receive a parking ticket, what

1 happens next?

2 A So here's my lunch money. I take the ticket,
3 and I give it -- for a company that advertise, and then
4 handle tickets with the New York City.

5 Q And who is -- what's that company?

6 A I don't know.

7 Q It's not in your phone?

8 A No. I just go -- no.

9 Q Okay. So how do you contact the company? How
10 do you get in touch with them?

11 A There is a -- a drop off location.

12 Q What's the drop off location?

13 A It's in Brooklyn on 14th Avenue.

14 Q What's the specific address on 14th Avenue?

15 A I don't know. I know where it is. I know --

16 Q I'm going to -- okay. And when you go to the
17 drop off location, what do you do there?

18 A I just -- just drop it off, and they take care
19 of it.

20 Q And do they communicate with you about it?

21 A Sometimes they call me and ask questions.

22 Q What's the phone number they call from?

23 A I don't know.

24 Q Do you have a record of that phone number
25 anywhere?

1 A No.

2 Q You have any documents or records relating to
3 parking tickets that you've received in the past five
4 years at all?

5 A No.

6 Q Did you receive tickets for parking in a bus
7 zone in the past five years?

8 A Possible.

9 Q You know how many?

10 A No.

11 Q And if you had received any tickets for
12 parking in a bus zone, what would you have done with
13 them?

14 A Take it to this drop off. This place who
15 takes care of the New York City tickets.

16 Q Okay. And when they -- when they take care of
17 the tickets, doesn't that involve sometimes paying for
18 the tickets?

19 A Of course.

20 Q And who pays?

21 A I pay.

22 Q So how do you pay for the tickets?

23 A Credit cards.

24 Q What credit card?

25 A It depends.

1 Q How many credit cards have you had between
2 2022 and the present?

3 A Two.

4 Q Two. And what are they -- what kind of credit
5 cards are each of those?

6 A So I have American Express, and then I have a
7 Costco credit card.

8 Q Okay. Aside from those two credit cards, any
9 other credit cards that you had between 2022 and the
10 present that you might have used to pay off any tickets?

11 A No. I don't think so. No.

12 MR. OLIVER: Okay. I'm going to call for
13 production of the name of the company that you're
14 talking about. The specific address of the drop off
15 location, the phone number, and any documents reflecting
16 payments to that company related to any kind of tickets,
17 summonses or notices of violation. I'm going to make
18 that request, going back five years.

19 I mean, this is already covered by --
20 this -- I think that the area we're covering now having
21 to do with traffic infraction and toll history is the
22 subject of a document request for which the defendant
23 client has interposed objections that are improper. And
24 so we will be holding the deposition open in order to
25 obtain the rest of the information and ask appropriate

1 questions. We'll do as much as we can today, but all of
2 these documents and information should have been
3 produced in response to the interrogatories and document
4 demands.

5 BY MR. OLIVER:

6 Q Is KTW8577 your current plate?

7 A I believe so.

8 Q Okay. And did you lease that SUV that has
9 that plate on December 5th, 2022?

10 A I don't know the exact date.

11 Q Was it in December of 2022?

12 A I don't -- I don't know the date that I got my
13 new car.

14 Q Was it just a few weeks after the incident
15 with Mr. White in November of 2022?

16 A I don't know. I don't remember the date that
17 I got a new car.

18 Q Okay. And what would refresh your memory
19 about the date you got a new car?

20 A I think I have now my car about a year.
21 That's what I think.

22 Q Say it one more time. You think what?

23 A My car is now -- my new car -- my new lease, I
24 think it's about a year. My leases is every three
25 years. So roughly every three years. I believe I have

1 now my new car for about a year.

2 Q Okay. Let's go back to in the five -- in the
3 past five years. We covered parking tickets and bus
4 zone tickets you received in the past five years. Aside
5 from the tickets that we just covered; did you receive
6 any pink criminal court summonses related to driving?

7 A I don't think so.

8 Q Okay. In the past five years, did you receive
9 any DMV summonses which are usually yellow related to
10 driving or operation of your vehicle?

11 A I don't think so.

12 Q In the past five -- do you have an E-ZPass
13 account?

14 A Yes.

15 Q You have any other kind of toll account aside
16 from E-ZPass?

17 A What other -- what other are they?

18 Q I don't know any other. Any other bridges,
19 tunnels, any -- I don't know.

20 A E-ZPass.

21 Q Okay. And who pays for your E-ZPass account?

22 A Myself.

23 Q And what do you pay for it from, where the
24 funds come from?

25 A I believe it's connected to my credit card.

1 Q Okay. Okay. But the Costco credit card might
2 be connected to -- withdrawn.

3 Did you ever use the Costco credit card to
4 make any payments related to the SUV or any tickets or
5 summonses related to the SUV in the past five years?

6 A No.

7 Q You never pay -- so when your brother or
8 sister-in-law or Mr. Rutner would -- do work related to
9 the SUV, how would you pay them?

10 A Or American Express or through a check.

11 Q Okay. And you keep paper copies of your
12 checks?

13 A No.

14 Q And the checks are connected to the TD Bank --
15 TD Bank checking account?

16 A Correct, sir.

17 Q Okay. And who keeps copies of the checks if
18 anyone in the family?

19 A Nobody. Nobody.

20 Q Okay. In the past five years, have you got to
21 any speeding tickets?

22 A No.

23 Q In the past five years, have you gotten any
24 tickets for running red lights?

25 A No.

1 Q And in the past five years, have you gotten
2 any tickets for speeding in a school zone specifically?

3 A I don't know.

4 MR. OLIVER: Okay. Let's take a look at
5 -- let's mark -- I think we're up to 8. This is White
6 703 to 706. It's a number 100 in the dep prep.

7 (Exhibit 8 marked for identification.)

8 MR. OLIVER: Okay. I'd like you just to
9 take a look at this document, scroll through it over
10 there, and then let me know when you've had a look, and
11 I'll ask some questions.

12 THE WITNESS: Okay.

13 Tell me -- I'll just keep scrolling?

14 MR. ROMAN: Yeah. You can scroll.

15 Okay.

16 THE WITNESS: Okay.

17 BY MR. OLIVER:

18 Q Okay. You have an opportunity to take a look
19 at that document?

20 A Yes.

21 Q Okay. So this document indicates that you got
22 31 parking and camera -- at least 31 parking and camera
23 violations between October of 2019 and December of 2022
24 associated with the JGG6230 plate. Does that sound like
25 a correct number of parking and camera violations to

1 you?

2 A I don't know.

3 Q Do you have any reason to doubt that you
4 received the summonses and notices of violation that are
5 listed in this document? Take your time.

6 A It's possible. I'm -- I'm not sure all of
7 that.

8 Q Okay. So if you had -- do you have any
9 records relating to any of these summonses or notices of
10 violation?

11 A No.

12 Q Who would have records -- those records?

13 A I don't know.

14 Q Well, it's your car. You're the one who was
15 responsible for paying these, right?

16 A It looks like it's paid.

17 Q It's not the question. The question was who
18 would have records relating to these tickets. And you
19 said, "I don't know," so I'm asking who would know?

20 A I don't know.

21 Q You don't know? Does your wife handle paying
22 for your tickets?

23 A No.

24 Q Do any other family members handle paying for
25 your tickets?

1 A No.

2 Q Just the company that you mentioned that you
3 don't know the name of?

4 A Correct.

5 Q And so did you visit that drop off location at
6 least 31 times between October of 2019 and December of
7 2022?

8 A I don't know how many times I went over there.

9 Q Okay.

10 A But I always -- if there -- if there is, I
11 make sure it's taken care of.

12 MR. OLIVER: Okay. Let's take a look,
13 please -- let's mark -- oh, sorry. Actually, before we
14 take this down, could you just take a look at -- oh,
15 actually -- sorry. Yeah. Right. Could you just scroll
16 through to -- let's see. Let's do -- you could look at
17 the second page.

18 BY MR. OLIVER:

19 Q Do you see that there are notations on the
20 second page relating to school speed zone camera
21 violations?

22 A Okay.

23 Q You see those?

24 A Yes.

25 Q And it looks like -- according to those, you

1 sped in a school zone, at least, five times in just
2 April and May of 2020. Do you see where I'm looking?
3 You see those entries from April and May of 2020?

4 A Okay.

5 Q So did you speed five times between April and
6 May of 2020 in a school zone?

7 A I don't know.

8 A Okay. So it's possible?

9 A Maybe the cameras are defected also. I don't
10 know.

11 Q "Maybe." I got it. But you had said earlier
12 you had no speeding tickets. Remember giving that
13 answer?

14 A Oh, I'm sorry, sir. I thought, like, getting
15 pulled over by police and getting a speeding ticket,
16 like, you're on the highway, on the throughway. That's
17 what I meant.

18 Q Excellent. I'm glad that we're clarifying.
19 So have you been pulled over by the police while
20 operating your vehicle for any reason in the past five
21 years?

22 A I don't remember.

23 Q So if you don't remember, then how are you
24 sure you didn't get any speeding tickets in the past
25 five years?

1 A I -- I didn't get any speeding tickets.

2 Q Okay. Were you pulled over by law enforcement
3 while operating your vehicle anytime in the past five
4 years?

5 A I think so.

6 Q Okay. How many times?

7 A They have these checkpoints. You go -- you
8 drive through the city over checkpoints.

9 Q Okay. So how many times were you pulled over
10 at a checkpoint in the past five years while operating
11 your SUV?

12 A A few times.

13 Q Did you say a few or two?

14 A A few. A few.

15 Q How many is a few?

16 A I'm not sure.

17 Q More than five?

18 A Possible.

19 Q More than 10?

20 A I don't know.

21 Q Is it possible it was more than 10 times?

22 A Yeah. It's possible.

23 Q Is it possible if that you've been pulled over
24 more than 20 times in the past five years related to
25 operating your SUV?

1 A I don't know. I don't know.

2 Q So it's possible, right?

3 A Yeah. You drive home, you drive to work.

4 It's checkpoints.

5 Q Got it. And aside from checkpoints though, in
6 the past five years, have you been pulled over by law
7 enforcement related to operating your vehicle non-
8 checkpoint?

9 A I don't think so.

10 Q Okay. But you're not sure?

11 A Right.

12 Q Have you ever been pulled -- had the
13 experience of being -- withdrawn.

14 In the past 10 years, have you had the
15 experience of being pulled over by a law enforcement
16 officer, not at a checkpoint, where the law enforcement
17 officer did not issue you a summons or a notice of
18 violation?

19 A I don't think so.

20 Q Okay. So as far as you know, the times you
21 were pulled over, you would have gotten some kind of
22 legal process from the law enforcement officer, right?

23 A Correct.

24 Q Okay. But you don't have any records related
25 to any time that you've been pulled over or gotten a

1 ticket or summons in the past five years?

2 A I think so. Yeah.

3 Q Okay. And you've looked for those records?

4 A No.

5 Q Okay. So you didn't look for prior tickets or
6 summonses when you were responding to the discovery
7 requests in this case?

8 A Correct.

9 MR. OLIVER: Okay. We can take down this
10 document that's marked as Exhibit 8, and let's take a
11 look at what was pre-marked as Doc 110, which is Bates
12 number White 759.

13 MR. HIRAOKA: Was this marked, yet,
14 Gideon?

15 MR. OLIVER: I'm sorry?

16 MR. HIRAOKA: Was this marked yet?

17 MR. OLIVER: It's no -- it's about to be
18 marked.

19 (Exhibit 9 marked for identification.)

20 MR. HIRAOKA: Well, you just have a --
21 okay. Great. Okay. Thank you. Yeah. Okay.

22 BY MR. OLIVER:

23 Q Okay. You currently have a valid driver's
24 license, sitting here today, right?

25 A I hope so.

1 registration expired on 9/18/23?

2 A Okay.

3 Q You see that? You see where it indicates that
4 on the document?

5 A Okay.

6 THE WITNESS: Where does it say that?

7 MR. ROMAN: Expired on --

8 MR. OLIVER: Yeah. Yeah. Sorry,
9 Counsel.

10 MR. ROMAN: Okay.

11 MR. OLIVER: I can -- I can help you find
12 it if we get lost in the future. Right?

13 BY MR. OLIVER:

14 Q So this document says, "EXPIRES: 9/18/23." Do
15 you know if, in fact, the registration that you had in
16 2022 expired in September of 2023?

17 A No. I don't.

18 Q Okay. This document also says, a couple of
19 lines down, "VOLUNTARY PLATE SURRENDER ON: 1/03/23."
20 You see that?

21 A Okay.

22 Q Did you turn the plates in on January 3rd,
23 2023?

24 A I don't know what data turned it in.

25 Q Did you yourself turn in the plate JGG6230

1 from this car?

2 A No.

3 Q Who turned the plates in? Who surrendered the
4 plates?

5 A I don't know.

6 Q Who'd you give the plates to?

7 A I didn't give the plates. My -- my car -- my
8 car went away.

9 Q When you say it "went away," you mean you gave
10 it to your brother; is that right?

11 A When my car was returned, they took care of
12 it.

13 Q "They" being whom? The dealership?

14 A The dealership.

15 Q And you don't know -- you don't know which
16 dealership, right?

17 A Mister -- my friend -- he -- he deals with the
18 dealership.

19 Q Which friends was this? Just remind me the
20 last name, please.

21 A It's Joel Rutner.

22 Q Okay. But you don't know which dealership he
23 was dealing with?

24 A I'm trying to remember. I'm going to -- I'm
25 going to -- it's going to come up in a few. I'm going

1 to try to remember the name.

2 Q I appreciate it.

3 A Yeah.

4 Q If it comes during the deposition, and you
5 could let us know, I'd appreciate it.

6 A Yeah.

7 MR. OLIVER: If not, we've called for the
8 production of that information. So you'll supplement
9 your responses to give it.

10 THE WITNESS: I know it's located in
11 Monroe. It's located in Monroe, but the -- the name
12 doesn't ring a bell at the moment.

13 MR. OLIVER: Okay. All right. Thank
14 you.

15 BY MR. OLIVER:

16 Q All right. So just to return to this document
17 here, Exhibit 10. Under where it says, "VOLUNTARY PLATE
18 SURRENDER" it says, "REG SUSPENDED ON: 09/04/22, FOR
19 024 DAYS - REASON: INS. NOT IN EFFECT." You see that
20 entry?

21 A Okay.

22 Q Was the registration on the vehicle, in fact,
23 suspended in September of 2022?

24 A I don't know. Maybe they --

25 Q Did you --

1 A -- asked for the new car.

2 Q Maybe they what? I'm so sorry. I couldn't
3 hear you.

4 A I don't know.

5 Q Okay. And if your registration had been
6 suspended, would you have any records that you could
7 look for related to the suspension?

8 MR. ROMAN: 9/4.

9 THE WITNESS: I don't know.

10 BY MR. OLIVER:

11 Q It's your sister-in-law who was handling the
12 insurance stuff for you, right?

13 A Yes.

14 Q So is it likely that Goldie Klein would know
15 if the insurance had been suspended and reinstated?

16 A I'm not understanding exactly what -- what
17 your question is. Didn't I return the car yet?

18 Q No. This document says that in September of
19 2022, the registration was suspended because there was
20 an insurance lapse. So I'm asking if there are -- who
21 would have records related to that suspension or
22 insurance lapse?

23 A I don't know. I think the car was already
24 returned.

25 Q In September of 2022, the car was returned

1 during these incidents --

2 A I don't know. I don't know.

3 Q So who would know was my question. Is it your
4 sister-in-law?

5 A I don't know.

6 Q Your sister-in-law was handling your insurance
7 during this time period, right?

8 A She takes care of my insurance.

9 Q Okay. And during the time period we're
10 talking about in 2022 and early 2023, she was handling
11 your insurance, right?

12 A Yeah. She always takes care of my car
13 insurance.

14 MR. OLIVER: Okay. Okay. Let's look
15 next please, at dep doc 119. We're going to mark that
16 as 11.

17 (Exhibit 11 marked for identification.)

18 MR. ROMAN: In the meantime, how long do
19 you plan to go for?

20 MR. OLIVER: Yeah.

21 MR. ROMAN: Maybe we need to take a
22 little break for someone --

23 MR. OLIVER: Yeah. Yeah. If we could go
24 like, maybe, another 10, 15 minutes top, and then take,
25 like a half-hour break, that's what I would like to do,

1 if that can work for you.

2 MR. ROMAN: You okay with that?

3 THE WITNESS: Whatever you guys want.

4 I would like to go back to work.

5 MR. OLIVER: Yeah. I mean -- you know,
6 we -- I hear you. Me too. All right.

7 THE WITNESS: You're working now.

8 MR. OLIVER: So what's been marked as --
9 what's been marked -- and then I have to work later.

10 What's been marked as Exhibit 11 is
11 another document here -- sorry. Just one second.
12 Right.

13 BY MR. OLIVER:

14 Q Okay. So this is another document that
15 relates to plate KTW8577. You see that? In the upper
16 left-hand corner of the document, it relates to plate
17 KTW8577?

18 A Yeah.

19 Q And you see where it says that that the
20 registration is valid beginning December 5th, 2022,
21 "VALID: 12/05/2022"?

22 A Okay.

23 Q Does seeing that refresh your recollection
24 about when you leased the new SUV?

25 A I don't know.

1 Q And was that in relation -- in relation to the
2 federal case?

3 A Yes.

4 MR. OLIVER: I'm going to mark -- show
5 you what we're going to mark as Exhibit 13, which is
6 just the docket from what I think is the civil -- is the
7 federal case I just referred to.

8 That's 101, Regina.

9 And after we close out this topic, we can
10 take the break.

11 You can scroll through this once it's
12 marked, please.

13 (Exhibit 13 marked for identification.)

14 BY MR. OLIVER:

15 Q And I -- my question is just going to be -- so
16 you have a preview. If you know, is this the case that
17 you just mentioned that you were arrested in connection
18 with? That's the question.

19 A I'm not sure.

20 Q Okay. Well, you can -- are you scrolling?
21 You see your name there?

22 MR. ROMAN: Let me just scroll down and
23 see -- there's multiple defendants, so I'm just
24 scrolling down to see if I can find.

25 MR. OLIVER: Yeah. Let me see if I can

1 help you. Yes. Try page -- what page is this? 10.

2 MR. ROMAN: Okay. I see it there.

3 BY MR. OLIVER:

4 Q Okay. Okay. Is this the case that resulted
5 from the -- withdrawn.

6 Is this the docket in the case that you were
7 arrested on?

8 A I believe so.

9 Q Okay. What was ALU Healthcare?

10 A There's a company that I worked for.

11 Q And what was your role in ALU Healthcare?

12 A A warehouse boy.

13 Q A warehouse what?

14 A Boy. It was a young kid working in a
15 warehouse.

16 Q Okay. And the arrest resulted in an
17 indictment that charged you with some felonies, right?

18 A I'm not sure.

19 Q You pleaded guilty to felony charges in this
20 case, didn't you?

21 A Not exactly sure of what I plead guilty for.

22 Q Well, what did you admit to doing when you
23 pleaded guilty?

24 A Not sure. This is a long old -- this is a
25 long time ago. This is old stuff.

1 Q So you don't remember what you pleaded guilty
2 to?

3 A No.

4 Q Okay. And what was the sentence you received
5 when you pleaded guilty to that felony?

6 A I did community service. I helped out.

7 Q How much community service did you do?

8 A I don't remember.

9 Q Where did you do the community service?

10 A A few different places.

11 Q Do you remember what they were?

12 A I remember it was in -- in Brooklyn. Like a
13 house that you keep, like, kids that they don't have a
14 home. And I was helping out over there.

15 Q Were you also on probation as a result of your
16 felony plea?

17 A Yes.

18 Q And how long were you on probation?

19 A Not sure.

20 Q Was it four years?

21 A Possible.

22 Q And were you ever accused of violating your
23 probation?

24 A I don't think so.

25 Q Aside from Chad Seigel, the lawyer who's

1 listed as representing you on the docket, did any other
2 lawyer represent you in connection with this case?

3 A Yeah. I had a different lawyer and then got
4 switched.

5 Q Okay. Aside from -- who was the different
6 lawyer who you had before you had Mr. Seigel?

7 A I think Mr. -- I don't know. Mr. Friedman
8 (phonetic), I don't remember. I don't remember.

9 Q Okay. But at the end of the case you had --
10 at the end of the case, you had Mr. Seigel, right?

11 A Yes, sir.

12 Q Okay. Aside from this incident, have you ever
13 been arrested?

14 A No.

15 Q Aside from the felony that we just discussed;
16 have you ever been charged with a crime?

17 A No.

18 Q No. Okay.

19 MR. OLIVER: Okay. I think that is a
20 logical spot for us to stop. It's 11:50. If we could
21 take a half hour and come back at --

22 MR. HIRAOKA: 1:50, Gideon.

23 MR. OLIVER: -- sorry. 1:50. Yeah. No.
24 You're right. Thank you. Great. 1:50. If we could
25 come back at 2:20, and then we'll push through and

1 complete.

2 THE REPORTER: Okay. We are off the
3 record at 1:49 p.m., Eastern.

4 (Off the record.)

5 THE REPORTER: Good afternoon. We are
6 back on the record at 2:32 p.m., Eastern Time.

7 MR. OLIVER: Okay. Thank you. Let's see. Good
8 afternoon. Welcome back. We are just going to jump
9 right back in. Going to show you some copies of tickets
10 related to the JGG license plate that we're going to
11 mark as -- I think we're up to 13.

12 MR. HIRAOKA: 14, I think.

13 MR. OLIVER: Yeah. You're right. Thank
14 you.

15 Just going to ask you now that these are
16 marked.

17 (Exhibit 14 marked for identification.)

18 BY MR. OLIVER:

19 Q Can you look at Exhibit 14? And you'll have
20 to scroll through the six pages, and let me know when
21 you've just reviewed that exhibit.

22 A Okay. Ready.

23 Q Okay. Did reviewing those notices of
24 violation and detail records about them refresh your own
25 recollection about anything?

1 A Possible.

2 Q Tell me what you mean?

3 A It's possible this was my tickets.

4 Q Anything else that viewing this exhibit
5 refreshed your own recollection about?

6 A No.

7 MR. OLIVER: Okay. Thank you.

8 We're going to now put up what's going to
9 be marked as Exhibit 15, which is a similar packet of
10 tickets -- five tickets and related details from the
11 KTW8577 plate.

12 (Exhibit 15 marked for identification.)

13 BY MR. OLIVER:

14 Q And I ask you to review them, and I'm going to
15 ask you the same questions when you're done.

16 A Exhibit's disappeared. Oh, there. Ready.

17 Q Did reviewing the exhibit -- that you just
18 reviewed -- refresh your own recollection about anything
19 related to the parking and camera violations that are
20 documented in the exhibit?

21 MR. OLIVER: You can take it down,
22 Regina.

23 THE WITNESS: I'm not sure.

24 BY MR. OLIVER:

25 Q What do you mean you're not sure?

1 A Some addresses I don't even recognize. One
2 address I recognized. One address I don't even
3 recognize.

4 Q Okay. Aside from that, did anything --
5 anything aside from that that you have to say after
6 viewing that exhibit?

7 A No.

8 MR. OLIVER: Okay. We're going to be
9 marking what's in front of you now as 16. This is the
10 rider to the notice of claim in the -- this case.

11 (Exhibit 16 marked for identification.)

12 BY MR. OLIVER:

13 Q Have you seen this document before?

14 A I don't think so.

15 MR. OLIVER: Okay. Okay. Next, we're
16 going to mark as Exhibit 17 the answer in this case that
17 was filed on your behalf.

18 And we're going to mark this, and then
19 ask you to scroll to the verification, which I'll give
20 you the page number in just a second. Oh no.
21 Withdrawn. I'm not -- I'm not going to do that. Sorry.

22 (Exhibit 17 marked for identification.)

23 BY MR. OLIVER:

24 Q Okay. So this is the answer that was filed
25 on your behalf in this case. Are you familiar with this

1 document?

2 A Not sure.

3 Q Have you seen it before?

4 A Yes.

5 Q Okay. And are you aware that in the answer
6 you're asserting certain cross claims against the other
7 defendants?

8 A Okay.

9 Q Are you aware of that?

10 A Yeah.

11 Q Do you know what those are?

12 A Not detailed, but for the most part.

13 Q Okay. I don't need details. I just want
14 general. What are your cross claims as far as you
15 understand them?

16 A What he -- what he did to me.

17 Q Could you please use a full sentence and
18 explain what you mean?

19 A Of the incident that happened on the 11th.

20 Q Okay. That is also a fragment of a sentence.
21 Could you use a full sentence to explain what you mean?
22 I'm just asking you to explain what your cross claims
23 are as you understand them.

24 A I -- I'm not sure. I'm not sure, your
25 question.

1 Q Okay. In your answer that you filed in this
2 case, you raise certain claims against the City of New
3 York and the NYPD members who Mr. White has sued. Those
4 are called cross claims. I'm asking you what your
5 understanding is of the cross claims that you are
6 raising in this case against the city. So what's your
7 understanding of the cross claims that you're raising
8 against the City?

9 A I -- if you can please explain the question.

10 Q You are, essentially, suing the City and
11 several NYPD members, the codefendants in this case by
12 raising cross claims against them. You are raising
13 claims against them. What is your understanding of what
14 those cross claims are if you have an understanding?

15 MR. ROMAN: Can I point to the --

16 MR. OLIVER: You can't help him -- you
17 can't help him. It's not appropriate for you to be
18 speaking unless you're making an objection, and then
19 it's not appropriate unless it's a simple objection.

20 THE WITNESS: Sir, I do not -- I did not
21 --

22 MR. OLIVER: If you don't understand --
23 go ahead.

24 THE WITNESS: I do not understand your
25 question. Maybe if you can, please, explain a little

1 bit better so I can understand it.

2 MR. OLIVER: Sure. Let's just take a
3 quick look at -- just get to the page here. Page 39.

4 THE WITNESS: Okay.

5 BY MR. OLIVER:

6 Q Okay. So do you see page 39 of this document?

7 A Yes.

8 Q Where it says, "CROSS CLAIMS AGAINST ALL CO-
9 DEFENDANTS." You see that?

10 A Okay. Yes.

11 Q So in this lawsuit here, you are raising some
12 cross claims against the codefendants. All I'm asking
13 is if you know and understand what those cross --
14 anything about what those cross claims are?

15 A Yes.

16 Q Okay. So what are they?

17 A Not sure.

18 MR. OLIVER: Okay. All right. We can
19 move on.

20 Take this down and go on to the next
21 exhibit, which are going to be Plaintiffs
22 Interrogatories and document demands. It's going to be
23 18.

24 (Exhibit 18 marked for identification.)

25 BY MR. OLIVER:

1 Q Okay. I'm going to ask you to look at what's
2 been marked as Exhibit 18. I just want to know if
3 you've seen this document before?

4 A I think so.

5 Q Okay. Tell me what you mean by, "I think so."

6 A Looks like the whole bunch of papers that I've
7 seen before the case.

8 Q Okay. And did you read this document?

9 A No.

10 Q Did you read any of it?

11 A Just some of it.

12 Q Okay. What did you do if anything, in
13 response to reading some of this document?

14 A That my lawyer will handle it.

15 Q Okay. So that "my lawyer will handle it," is
16 not a response to the question. What, if anything, did
17 you do in response to reading this document? And I
18 should remind you, I'm not asking for the contents of
19 any communication that you had with your attorney. I'm
20 never asking for the contents of that communication. A
21 response like, "I called my lawyer, or I spoke with my
22 lawyer is fine." "I spoke with my lawyer about ABC," I
23 don't want. Okay. So to reframe -- to re -- bring you
24 back to the question, you said you read some of this.
25 What if anything did you do after you read some of this

1 in response to reading it?

2 A I don't remember what I did after.

3 Q Okay. Did you search for any documents or
4 information in response to these interrogatories and
5 discovery requests?

6 A No.

7 MR. OLIVER: Okay. Going to -- we can
8 take this down, and then we're going to mark the
9 February 6th, 2024 DNI responses as Exhibit 19.

10 Once they're marked, I'm going to ask you
11 to look at page 18.

12 (Exhibit 19 marked for identification.)

13 THE WITNESS: Yes.

14 BY MR. OLIVER:

15 Q Is that your signature?

16 A Yes.

17 Q Did you read the document before you signed
18 it?

19 A Yes.

20 Q Did you search for any information or
21 documents before you read and signed these responses?

22 A Yes.

23 Q Where -- what did you search for and where?

24 A Like pictures of the incident.

25 Q What else?

1 A My vehicle.

2 Q "My vehicle" is just two words. Is that you
3 searched for your vehicle?

4 A Pictures -- pictures of my vehicle.

5 Q Okay. So you searched for pictures of your
6 vehicle. What did -- what else did you search for?

7 A Pictures of the incident of that day.

8 Q Okay. Anything else that you search for?

9 A No.

10 Q Aside from those pictures?

11 A Nothing, sir.

12 Q Okay. And did you search any computers in
13 response to the document requests?

14 A No.

15 Q Okay. Setting aside your phone and the search
16 that you mentioned doing for the photos on the phone,
17 did you search any email accounts related to responding
18 to the interrogatories and document demands?

19 A No.

20 Q No. Okay. Did you search social media
21 accounts for communications related to the incident?

22 A No.

23 Q Did you search social media accounts at all
24 related to this lawsuit?

25 A No.

1 MR. OLIVER: Okay. We can take this
2 down, and we're going to put up the March 19th, 2024
3 responses as Exhibit 20.

4 Once it's been marked, you can go to page
5 24, please, and you can let me know when you're there.

6 (Exhibit 20 marked for identification.)

7 THE WITNESS: I'm here. Ready.

8 BY MR. OLIVER:

9 Q Oh, okay. Is that your signature on page 24?

10 A Yes.

11 Q Okay. And did you read this document before
12 you signed it?

13 A Yes.

14 Q And did you search for any documents or
15 information between when you signed Exhibit 19 that we
16 just looked at a minute ago and this exhibit, Exhibit
17 20?

18 A Yes.

19 Q What did you search for?

20 A The pictures.

21 Q The same pictures that you mentioned that you
22 searched for in answering the question about Exhibit 19?

23 A Yes.

24 Q Okay. Anything else that you searched for
25 between Exhibit 19 and Exhibit 20?

1 A I don't think so.

2 MR. OLIVER: Okay. And now we're going
3 to show you -- let's mark as 21, the March 27th version
4 of the responses.

5 (Exhibit 21 marked for identification.)

6 BY MR. OLIVER:

7 Q And same question, just going to ask you to go
8 down to this verification page, which is 25. Can you
9 see it?

10 A Yes.

11 Q Is that your signature?

12 A Yes.

13 Q Did you read these responses and objections
14 before you signed them?

15 A Yes.

16 Q Let's see -- and did you search for any
17 documents or information between the time you signed
18 Exhibit 20 and the time you signed this Exhibit 21?

19 A I think so.

20 Q What searches did you conduct?

21 A Pictures.

22 Q What pictures did you search for?

23 A What happened on the 11th.

24 Q Any other pictures that you searched for?

25 A No. I don't think so.

1 Q Okay.

2 A Maybe --

3 Q And so -- yeah.

4 A Pictures of the vehicle.

5 Q Go ahead.

6 A Pictures of the vehicle.

7 Q Okay. Pictures of the vehicle. Same two
8 categories of pictures that you had searched for before,
9 right?

10 A Right. Right.

11 Q Okay. Now, have you now told me all of the
12 searches for documents or information that you've
13 conducted in connection with this case, this litigation?

14 A I believe so.

15 Q Okay. When you say you believe so, is there
16 anything that you would need to check to refresh your
17 recollection so that you could give a more definitive
18 answer than "I believe so"?

19 A No.

20 Q Okay. All right. So I'm going to turn your
21 attention now to August 5th, 2022. You saw Mr. White on
22 that day, right?

23 A Yes.

24 Q What time did you see him?

25 A I don't know.

1 to your car?

2 A He leaned the bike, and it scratched up my
3 car.

4 Q Okay. And when did you repair that?

5 A I'm not sure.

6 Q But you did have the scratch repaired?

7 A Yes.

8 Q Did you use some -- who repaired it for you?

9 A The J&J Collision -- J&J Collision.

10 Q Okay. And so I would need to go subpoena J&J
11 Collision to get records about that repair because you
12 don't have any; is that right?

13 A What -- I don't know.

14 Q Okay. Is there anyone -- let me put this
15 another way.

16 Is there anyone else aside from --

17 A I --

18 Q Go ahead.

19 A I also have a car wash that I go, and
20 sometimes they -- they buff out, like the scratches and
21 stuff. Pay them and they scratch it out. I'm not sure
22 who -- I'm not sure who fixed it or the --

23 Q Okay. Yeah.

24 A -- or the J&J Collision.

25 Q What's the name of the car wash?

1 A Not sure. It's on Burnside Avenue.

2 MR. OLIVER: I'm going to call for the
3 name, address, and phone number of the car wash.

4 BY MR. OLIVER:

5 Q When you go to the car wash, how do you pay,
6 typically?

7 A So a lot of times when you're, like, you have
8 these scratches and bumps, when -- like, if you come
9 early or if you come at night, you -- you give the guy,
10 like, a cash and he fixes the -- the stuff around the
11 car.

12 Q Okay. So sometimes it's cash. What about
13 when it's not cash? How would you pay the car wash on
14 Burnside Avenue?

15 A Credit card.

16 Q Do you know which one of the two credit cards
17 we discussed before you would have used?

18 A It might be the Costco -- the Costco one.

19 Q Okay. And if not, then the AmEx, right?

20 A Yeah.

21 Q What was the weather like when you first saw
22 Mr. White?

23 A I think it was night, a little chilly.

24 Q Do you remember if it was sunny or cloudy or
25 something else?

1 or hear with respect to Mr. White on August 5th, 2022,
2 that you haven't yet told me about?

3 A He was harassing me on Twitter.

4 Q Okay. Tell me -- tell me about that.

5 A I started getting messages from a lot of
6 people up on Twitter. Embarrassment -- and I was very
7 embarrassed, and my family was very scared.

8 Q Did you get messages from people on any other
9 social media -- social media platforms aside from
10 Twitter?

11 A People were forwarding me messages.

12 Q On what platforms?

13 A I'm not sure.

14 MR. OLIVER: I would call for the
15 production of all of the messages that were forwarded to
16 Mr. Klein on any platform that relate to -- including
17 Twitter and the other platforms that he mentioned
18 before. Any other platforms that include those messages
19 and as well as any responses from him.

20 BY MR. OLIVER:

21 Q You said your family was very scared. Did you
22 share it -- how did your family find out about this?

23 A People -- people called my family and tell
24 them what's going on.

25 Q How many people -- how many times do people

1 call your family and tell them what's going on?

2 A A lot.

3 Q Can you quantify a lot?

4 A 10, 20, family, friends.

5 Q Who within your family received those calls?

6 A Everybody.

7 Q So your wife and all of your six children?

8 A No. Not the younger ones.

9 Q Okay. So everybody doesn't sound like it's
10 correct, and you're under oath. So why don't you tell
11 me who received those messages?

12 A So my wife, my brothers, my sisters, my
13 daughter, my -- my sons. People started being
14 concerned.

15 Q And I can't remember if you gave us your
16 wife's name, but if you did not, what is her name?

17 A Adina.

18 Q A-D-I-N-A?

19 A Yes.

20 Q Okay. And you mentioned brothers who received
21 messages. What are the names of your brothers who
22 received messages related to this incident?

23 A All of my brothers. I have -- I have six
24 brothers. All of them. And brother-in-laws, all of
25 them.

1 Q Okay. And how many sisters do you have who
2 received messages about this incident?

3 A Not sure, but a few.

4 MR. OLIVER: Okay. I'm going to -- I
5 mean, we've already called for the production for the
6 identification of anyone with whom Mr. Klein
7 communicated about the incident. We're going to be --
8 so, obviously, defendant needs to supplement the
9 responses to include the names and addresses and phone
10 numbers of all of these people.

11 And so I'll call for the production of
12 the information to just to, you know, be belt and
13 suspenders. But -- it's -- I'm frankly very surprised
14 to hear that there's all of this information that was
15 not disclosed, that should have been disclosed.

16 BY MR. OLIVER:

17 Q So we've now discussed a number of family
18 members who you say receive messages at --

19 A Not exactly sure how many exact, who called
20 me, who -- but I -- it was a lot of them calling and
21 being concerned. We are --

22 Q So what records do -- what records do you have
23 of those calls, if any?

24 A I don't have any records. We're a family of
25 14, and between 14, we have brothers and brother-in-laws

1 and nephews and nieces and cousins and friends. So I'm
2 not exactly sure who exactly reached out, but I remember
3 a lot of them reached out.

4 Q Okay. Well, you know, you're under an
5 obligation to identify the people you communicated with
6 about this, and that obligation extends to looking at
7 documents and records that you have access to. The time
8 to do that has passed, and you know, you have an
9 obligation to supplement the responses, though. So you
10 -- you know, I'll raise this with your attorney, and you
11 know, we'll deal with it -- we'll deal with it in turn.

12 But is there -- your to -- you've given a very
13 general answer, my characterization about the people in
14 your family, who you say others called or sent messages
15 to related to this August 5th, 2022 incident. Is there
16 anyone else with whom you yourself communicated about
17 the August 5th, 2022 incident? Aside from the Kings
18 County DA's office, which we'll get to in a minute.

19 A This is the first incident, correct?

20 Q Yeah.

21 A No.

22 Q You didn't call your wife or text your wife
23 when it happened?

24 A No.

25 Q You didn't send a message in the group chat?

1 A I don't think so.

2 Q Okay. But you haven't checked, though?

3 A I don't remember.

4 Q When you say you don't -- you saying you don't
5 remember now if you check the group chat, or not?

6 A I would not put it up in the group chat.

7 Q That wasn't the question. The question was
8 whether you checked. Do you remember if you checked the
9 group chat for communications about this first incident?

10 A I need to check because I know I would not put
11 her up on a chat with my kids something like this. Why
12 would I scare my kid?

13 Q So is it -- is that a no that you don't --
14 that you didn't check, or you don't know -- you --
15 you're just not answering the question. I need you to
16 answer the question.

17 A I did not check because I know I would not put
18 it up because I don't want to scare my kids. I would
19 not put it up in the kids' chat.

20 Q Okay. So the answer is that you haven't
21 checked, and you've explained why you don't think you
22 have to check, but that's the answer stands that you
23 haven't checked. So you've told me that you got
24 messages from a lot of people on Twitter and then -- or
25 other social media. Did you respond to those messages?

1 A No. I didn't -- people were, like,
2 approaching me -- people were, like, telling me you're
3 up on Twitter.

4 Q Oh, so you're saying now that people talk to
5 you about this in-person and that you didn't receive
6 messages on Twitter?

7 A I -- no. I did not receive on Twitter. There
8 was Twitter links going around about me. And there --

9 Q So who told you about them?

10 A A lot of different people.

11 Q Name all of them.

12 A I don't know. I don't remember. I don't
13 know.

14 Q You can't even name one?

15 A I don't remember.

16 Q Okay. All right. Is there anything else
17 about the August 5th, '22 incident that you remember
18 that we haven't yet discussed?

19 A I was very scared and distraught and petrified
20 of what happened.

21 Q And when did you call the police to report
22 this incident?

23 A I did not.

24 Q Why not?

25 A I was happy the guy left, and he left me

1 alone, and I went back to work.

2 Q Okay. And have you told me then -- withdrawn.

3 Aside from your attorney, who -- and the
4 prosecutors from the Kings County DA's office, who have
5 you talked to about the August 5th, 2022 incident?

6 A My brothers.

7 Q Which of your six brothers?

8 A I don't know. Probably all of them.

9 Q Okay. Well, we've already called for
10 production of their names, and --

11 A I can give you my brother --

12 Q -- contact information. But we don't need to
13 do that now because it's going to take, I think, too
14 much time on the record, and it's information that,
15 frankly, should have been turned over before the
16 deposition. So you'll provide it, and then if I need to
17 have you back -- I'll seek to have you back to ask
18 follow-up questions. Now I'm going to turn -- I'm now
19 going to turn to November 22nd, 2022 --

20 MR. HIRAOKA: Is that November 11th? Did
21 you say November 11th?

22 MR. OLIVER: Yeah. Thank you. Yes.
23 Thanks, Josh.

24 MR. HIRAOKA: Yeah. All right. Yeah.
25 All right.

1 back door, you look in the rearview mirror; is that what
2 you said?

3 A Yes.

4 Q Okay. And then when you saw Mr. White, tell
5 me exactly what you saw?

6 A I look in the mirror, I see this is the same
7 person who was harassing me before. He's back, he's
8 harassing me again. He's up to my car.

9 Q Now, when you first saw Mr. White on November
10 11th, 2022, was that -- there a piece of plastic
11 obscuring one of the letters on your rear license plate?

12 A Not sure.

13 Q Did you put the piece of plastic -- a piece of
14 plastic -- withdrawn.

15 Did you place a piece of plastic over your
16 license plate to obscure one of the letters between
17 August 5th, 2022, and November 11th, 2022?

18 A No.

19 Q Okay. So you see him you say, "this is the
20 same person, he's back." When you -- when you saw him,
21 what parts of his body could you first see?

22 A I see his face. I see his upper chest. I see
23 him.

24 Q Okay. Did you see his hands?

25 A Not sure.

1 Q When you say, "I don't know," I -- I'm not
2 sure what you mean. What do you mean you don't know?

3 A I don't remember for what reason I said that
4 to them.

5 Q Okay. Great. Well, that's different than I
6 don't know. "I don't remember the reason I said it to
7 them" is a -- is an answer. Okay. So after the police
8 arrived, did you tell them that you were Shomrim?

9 A No.

10 Q Did you tell them that you volunteered with
11 the police?

12 A That was, I believe, towards the end. I said,
13 I do community patrol. I believe this is what I said.

14 Q What was the purpose of saying that?

15 A The -- the police asked me for ID for my
16 driver's license, and when I pulled it out -- I had it
17 next door my seat in the car, I had the -- the Community
18 Patrol Volunteer ID, and I just -- and I just told them
19 that I -- I do community patrol.

20 Q Sorry? Where was the community patrol --

21 MR. OLIVER: First of all, I call for a -
22 - production of a copy of the Community Patrol Volunteer
23 ID.

24 BY MR. OLIVER:

25 Q Second, where was the Community Patrol

1 MR. OLIVER: We can take this -- we can
2 take this picture down.

3 BY MR. OLIVER:

4 Q Did you tell the police that Mr. White had
5 caused \$10 in damages to your property?

6 A I don't know.

7 Q Did you ever tell the police a dollar amount
8 of damage that you claim Mr. White had caused you or
9 property?

10 A I don't remember.

11 Q There were a number of NYPD members who
12 responded to the scene, right?

13 A Right.

14 Q Had you ever seen or spoken with any of those
15 NYPD members before?

16 A I don't think so.

17 Q After November 11th, 2022, did you speak with
18 any of those NYPD members?

19 A No.

20 Q On November 11th, 2022, when you were at the
21 location where Mr. White was arrested, you were texting
22 on your phone, weren't you?

23 A I don't know.

24 Q You don't know, have you looked for any texts
25 or records related to texts from that day?

1 A I don't know.

2 Q What was the answer?

3 A I'm not sure.

4 Q You're not sure if you looked for any texts
5 related to communications from November 11th, 2022?

6 A I did not. I did not.

7 Q Okay. All right. Thank you. What happened -
8 - have you told me everything that you remember telling
9 the police at the location where Mr. White was arrested
10 on November 11th, 2022?

11 A I believe so.

12 Q What happened next after Mr. White was taken
13 into custody?

14 A I was hoping to get an order of protection.

15 Q Okay. So what did you do as a result of that
16 hope, if anything?

17 A I called the DA's office.

18 Q Who did you call from the DA's office?

19 A I don't know. Brooklyn DA's office.

20 Q Okay. When was that?

21 A A few times, I don't know.

22 Q When was the first time -- how many times?

23 A About three.

24 Q When was the first time?

25 A I don't know.

1 Q Was it before the criminal case against Mr.
2 White was declined to prosecute?

3 A Yes.

4 Q Okay. So if I told you that that was on
5 November 29th and this incident was November 11th, are
6 you saying you called the DA's office three times
7 between November 11th and November 29th?

8 A I'm not sure the dates, but I would say I
9 called around three times.

10 Q Okay. And did you speak with an assistant
11 district attorney any of those times?

12 A I spoke to some people. I don't know who they
13 are.

14 Q Okay. When was the first time that you
15 called?

16 A Not sure. Maybe two days after the incident,
17 I'm not sure.

18 Q Okay. Who did you call?

19 A The Brooklyn DA's office.

20 Q Who did you call at the Brooklyn DA's office?
21 The general number or something else?

22 A Some number. I got switched and switched and
23 switched, and this one, and that one.

24 Q Okay. And did anything come of that call and
25 getting switched around?

1 A I felt like they did not being -- really being
2 helpful, and I was very scared and very distraught about
3 it, and I kept calling.

4 Q Okay. So when did you call again?

5 A Maybe a day after -- not sure.

6 Q And what happened when you called again a day
7 after?

8 A At one point I got somebody telling me that
9 somebody's going to get back to me who's handling this
10 case. They don't know about the case, that person's
11 going to call you back. It just got shoveled around.

12 Q And did you make any records of either of
13 these two calls that you say you made?

14 A I -- I'm not sure how many calls I made. And
15 I did not do any records.

16 Q Okay. And you just called the general number
17 at the DA's office, the Kings County DA's office?

18 A Yeah. The Brooklyn one.

19 Q Okay. And did you use your cell phone?

20 A I don't remember.

21 Q Was there any other phone you would have used
22 aside from your cell phone to make those calls?

23 A Sometimes jobsites have phone -- I don't know.

24 Q Okay. But if you looked at your records of
25 your cell phone calls between November 11th and November

1 29th of 2022, would you expect to see a number of calls
2 to the Kings County DA Office -- DA's office?

3 A I don't know what -- I don't know what to
4 expect.

5 Q Not the -- not the question I asked. Can you
6 answer the question I asked?

7 A I'm sorry. What was your question? I'm
8 sorry.

9 Q So if you looked at your phone records, let's
10 assume you did have access to them from the time period
11 November 11th through November 29th, would you expect to
12 see a number of calls from your phone to the Kings
13 County DA's Office --

14 A Sure.

15 Q -- about this case? Okay.

16 MR. OLIVER: I'm going to call for
17 production of cell phone records reflecting any of those
18 calls between November 11th and 29th of 2022.

19 BY MR. OLIVER:

20 Q The third call -- the first call you said was
21 around two days after, the next call you said was the
22 day after that. When was the third call?

23 A I'm not sure -- I'm not sure how many times I
24 called, but I remember I called a few times.

25 Q Okay. The next time you called, whenever it

1 was, what happened?

2 A I just got shoveled around. I -- I felt like
3 I'm not being helped.

4 Q Okay. Well, there did come a time where you
5 talked with Assistant District Attorney Teresa Russo,
6 didn't there?

7 A I don't remember who I spoke to.

8 Q And what did you -- but there did come a time
9 where you talked to an assistant district attorney, and
10 you gave them details about what you claim happened to
11 you, right?

12 A I don't remember who -- who -- which person I
13 spoke to. I don't know.

14 Q Okay. Forgetting about whether you remember
15 the name, did there come a time where you talked with an
16 assistant district attorney about what you claimed had
17 happened to you in this case?

18 A I spoke to a few different people.

19 Q Did there come a time -- you're just not
20 answering the question that I asked you.

21 Did there come a time where you talked to an
22 assistant district attorney from the DA's office about
23 the case and you gave them information about your
24 experiences?

25 A I don't know who the other person answered the

1 phone. It was a district attorney or secretary or
2 operator -- I don't know who I spoke to. I know I spoke
3 to people in the DA's office. I don't know their
4 titles.

5 Q Okay. So forgetting about the titles, did
6 there come a time where you spoke to someone where you
7 gave details and information about what you claimed had
8 happened to you?

9 A I believe -- I believe so. Yes.

10 Q Okay. What, specifically, did you tell them
11 with respect to the November 11th, 2022 incident?

12 A I told him that I'm scared, my family is
13 scared, and I want an order of protection.

14 Q Okay. And what else did you tell them
15 specifically about what happened that made you feel that
16 way?

17 A That the guy is after me. He's -- he's
18 breaking my car, he's harassing me, and he's following
19 me, and I need this guy to stay away from me. I -- I
20 don't want to be going to work and looking back my back
21 if this guy is back again.

22 Q What else did you tell the district attorney
23 about the November 11th, 2022 incident?

24 A That scared -- my family is scared to be going
25 to show up to the house. I need to make sure that --

1 please provide me order protection.

2 Q What else did you tell the DA's office about
3 the incident?

4 A I think that's basically it; I believe --

5 Q You didn't tell them what happened?

6 A Yeah.

7 Q Okay. Well, please don't leave that out.
8 What did you specifically -- from beginning to end of
9 the conversation that you had where you told them about
10 what happened, please tell me what you told them.

11 A I don't remember what I told them, but my --
12 my main concern was the order protection. And I don't
13 remember exactly what I told them what happened, but my
14 -- my main push -- my main basis was order protection.

15 Q Okay. And you gave them as many details as
16 you could so that they would understand why you were so
17 scared and why you needed that order, right?

18 A Explain to them, yeah, that my family is
19 scared, and I'm scared.

20 Q And you didn't hold any information back when
21 you talked to the prosecutor, right?

22 A Probably not.

23 Q Okay. And after November 11th, 2022, did you
24 take any pictures of any claims damaged to the -- to
25 your property?

1 A I don't think so.

2 Q No. You knew that the license border was a
3 piece of evidence in what you claimed was a crime,
4 right?

5 A It was a crime, what he did.

6 Q So you knew that the license plate border that
7 was attached to your car was evidence of what you
8 claimed was a crime, right?

9 A I don't know.

10 Q You don't know, so you claim that he broke the
11 license plate border, right?

12 A Correct.

13 Q And when you drove away from the scene, the
14 license plate border was attached to your car, right?

15 A I believe so.

16 Q Except for the piece the police took away with
17 them, right?

18 A I -- I found out today that the police took
19 it. I didn't know. I was not --

20 Q Okay. Well, you didn't hand it to them?

21 A I don't remember.

22 Q Okay. Well, setting aside that piece, when
23 you drove away from the scene you were driving away with
24 a piece of evidence, right, the license plate border?

25 A Why -- why is that evidence, I don't know.

1 Q Because you claimed that he broke it, right?

2 A The -- the police took evidence?

3 Q The police took -- that you're saying you now
4 are learning the police took the broken -- the piece
5 that you claim was broken off? I'm talking about the
6 piece that you claim it was broken off from -- which you
7 can see in the picture that we just looked at. You
8 didn't think that was an important piece of evidence?

9 A No. Why would it be -- no.

10 Q It's pretty clear why it would be an important
11 piece of evidence. Did you take any -- did you take a
12 picture of it after this incident?

13 A No. No.

14 Q You -- what did you do with the license plate
15 cover?

16 A I don't know.

17 Q Where is it now?

18 A I don't know.

19 Q Did you get rid of it?

20 A Yeah. I don't have it -- I don't know.

21 Q Okay. Did you had somebody get rid of it --
22 did -- you had somebody get rid of the whole car,
23 correct?

24 A The what?

25 Q You had somebody get rid of the whole car for

1 you, right?

2 A No.

3 Q Okay. So where is the license plate cover?

4 A When -- probably when the car -- the lease
5 went -- when the lease ended.

6 Q Yeah.

7 A Yes. Probably when it went back.

8 Q Okay. And you had someone take care of that
9 for you, right?

10 A The leasing company took -- took care -- took
11 the car.

12 Q Let's see that picture, again, that we were
13 looking at just a minute ago.

14 MR. OLIVER: And I understand that you
15 have a family obligation, Counselor, we're going to have
16 to hold the deposition open to look at the video. It's
17 just not going to be able to happen before 4:50.

18 MR. ROMAN: Okay.

19 MR. OLIVER: Okay. So --

20 MR. HIRAOKA: I'm sorry. Just because
21 this has exhibits -- I mean --

22 MR. OLIVER: Yeah. Go ahead. Sorry.
23 It's got to be -- yeah. No. I've got you. It's got to
24 be Exhibit 2. Not Exhibit 3.

25 MR. HIRAOKA: Exhibit 2, correct? Okay.